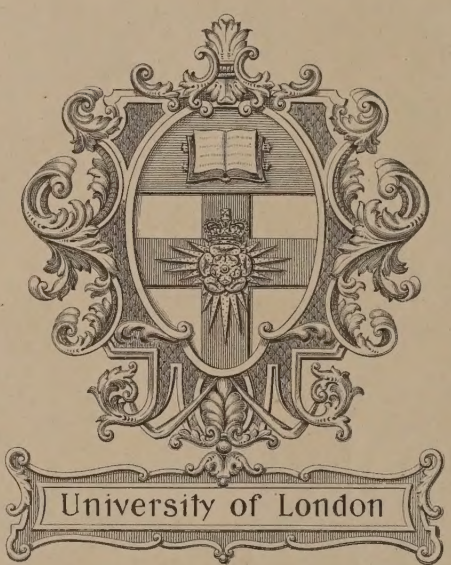
University of London

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B I L L S,

PUBLIC:

FOUR VOLUMES.

—*(3.)*—

MALT FOR CATTLE

TO

PUNISHMENT OF RAPE.

Session

4 *February* —— 29 *July* 1864.

VOL. III.

1864.

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FOUR VOLUMES.

—(3)—

MALT FOR CATTLE.

TO

PUNISHMENT OF DEATH.

Session

4 February —— 29 July 1864.

VOL. III.

1864.

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1864.

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Persons making Duty-free Malt under this Act to give Security against Frauds; 2.

Maltsters under this Act to designate their Malthouses; 3.

Malt to be conveyed from Store to Grinding Room under such Regulations as Commissioners shall appoint; 4.

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Malt to be mixed with Linseed Cake or Meal; 6.

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A

B I L L

TO

Allow the making of Malt Duty-free to be used in feeding Cattle.

WHEREAS it is expedient to allow Malt to be made Duty-free to be used in the feeding of Cattle: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for any Person who shall give such Security as herein-after required in that Behalf, and upon taking out a proper Licence as a Maltster, to make Malt under the Provisions of this Act in a Malthouse approved by the Commissioners of Inland Revenue for the sole Purpose of being consumed in the feeding of Cattle, and all Malt which shall be so made and which shall be mixed with Linseed Cake or Linseed Meal as herein-after directed in such Malthouse shall be free from the Duties of Excise chargeable on Malt; and it shall also be lawful for any Maltster (not being a Distiller) who shall be entitled to make Malt for the Purpose of being consumed in the distilling of Spirits under the Provisions of the Act passed in the Eighteenth and Nineteenth Years of Her Majesty's Reign, Chapter Ninety-four, to mix Malt with the Materials aforesaid for Malt may be made and used free of Duty in the feeding of Cattle.

the sole Purpose of being consumed in the feeding of Cattle, upon his complying with the Provisions and Regulations of this Act.

Persons making Duty-free Malt under this Act to give Security against Frauds.

2. Every Person who shall intend to make Malt Duty-free under the Provisions of this Act shall enter into a Bond to Her Majesty, with Two or more sufficient Sureties to the Satisfaction of the Commissioners of Inland Revenue, and in such Sum as the said Commissioners shall think proper, conditioned to the Purport or Effect following; (that is to say,) that such Maltster shall duly make into Malt all Corn and Grain which shall be received into any such Malthouse as aforesaid, and shall not take, send out, remove, or deliver from any such Malthouse as aforesaid any Malt, except Malt duly mixed with some Material prescribed by this Act in that Behalf, and removed in conformity with the Provisions of this Act, and shall not convey away, hide, or conceal any Malt or Corn or Grain contrary to any of the Provisions of this Act, or of any Act in force in relation to Maltsters or the making of Malt; and the Condition of such Bond shall also contain all such further Terms and Stipulations as the Commissioners of Inland Revenue shall deem to be necessary or proper for enforcing Compliance on the Part of such Maltster with the Terms and Provisions of this Act, and the Regulations which the said Commissioners may make in pursuance thereof, or for preventing Frauds in relation to the Malt to be made by such Maltster; and such Maltster shall give a fresh Bond, with such Sureties as aforesaid, when and as often as he shall be required so to do by the said Commissioners, and in default thereof he shall not be entitled to make Malt Duty-free under the Provisions of this Act.

Maltsters under this Act to designate their Malthouses.

3. Every Person who shall make Malt under the Provisions of this Act shall paint or place and fix in Letters distinctly legible, Three Inches at the least in Height, and of a proper and proportionate Breadth, conspicuously upon the principal Gate, Door, or Entrance of his Malthouse, his Christian and Surname, together with the Words "Entered to make Malt to be used in feeding Cattle," and shall preserve and keep the same so painted or placed and fixed, and shall repaint and renew the same as often as Occasion shall require.

Malt to be conveyed from Store to Grinding Room under such Regulations as Commissioners shall appoint.

4. All Malt made under the Provisions of this Act shall be deposited in a Storeroom provided by the Maltster and entered with the Excise for that Purpose, and shall be conveyed to and from the Room in which the same is intended to be ground as herein-after mentioned upon such Notice to the Officer of Excise and under such Regulations as the Commissioners of Inland Revenue shall direct and appoint in that Behalf.

5. The

Maltster to provide a secure Room for grinding and mixing Malt.

5. The Maltster shall provide at his own Expense a safe and secure Room or Rooms in his Malthouse, to be approved in Writing by the proper Collector and Supervisor of the District, for the Purpose of grinding the Malt made by him in such Malthouse, and mixing and storing the same when mixed; and all such Rooms so to be provided as aforesaid shall be properly secured to the Satisfaction of the said Collector and Supervisor, and shall be at all Times kept locked by the proper Officer of Excise, and neither the Maltster nor his Servants or Workmen shall be admitted therein, except upon such a Notice in Writing to be given by the Maltster to the Officer as the said Commissioners shall direct.

Malt to be mixed with Linseed Cake or Meal.

6. All Malt made under the Provisions of this Act shall, before the Removal thereof from the Malthouse in which the same shall have been made, be ground and thoroughly mixed with One Tenth Part at the least of its Weight of ground Linseed Cake or Linseed Meal; and all such Malt, and the said Material to be mixed therewith, shall be ground to such a Degree of Fineness and in such Manner as the said Commissioners shall direct or approve, and shall be mixed together in a Quantity not less than *Forty* Bushels at a Time in the Presence of an Officer of Excise by such Means and in such Manner as shall be directed or approved by the said Commissioners; and for any Refusal or Neglect on the Part of the Maltster to comply with the Requirements of this Clause, or any of them, the Malt and also the Material mixed or intended to be mixed therewith shall be forfeited.

Maltster to keep an Account of all mixed Malt sent out, and of the Name of the Person to whom sent.

7. The Maltster shall keep an Account, in such Form as the Commissioners shall supply to him for that Purpose, of the Quantity, by Weight or Measure as the Commissioners shall require, of all Malt mixed as aforesaid which he shall from Time to Time send out or deliver from his Malthouse, with the respective Dates of such sending out or Delivery, and the Name and Place of Abode of the Person to or for whom such mixed Malt shall be so sent or delivered, together with such other Particulars respecting the same as the said Commissioners shall require in that Behalf.

Penalty for separating Malt from Linseed Cake or Meal mixed therewith.

8. All Malt which shall be found mixed with Linseed Cake or Linseed Meal shall be deemed to have been mixed under the Provisions of this Act, and if any Person shall separate or attempt to separate any Malt from any Material with which the same shall have been mixed as aforesaid, or shall use any Malt which shall have been so mixed as aforesaid in or for the brewing of Beer or distilling of Spirits, he shall forfeit the Sum of *Two hundred Pounds*, and all such Malt and Material shall be forfeited.

Persons found unlawfully removing Malt from a Malthouse entered under this Act to be dealt with in manner directed by 32d Section of 18 & 19 Vict. c. 94.

9. If any Person shall be found taking or removing Malt, or any Corn or Grain making into Malt, from any Malthouse or Premises on the principal or outer Gate whereof the Words "Entered to make Malt to be used in feeding Cattle" shall be painted, placed, or fixed, and not being Malt mixed with such Material as aforesaid, and removing under and according to the Provisions of this Act, he shall be dealt with in like Manner and be liable to the like Penalty and Punishment as are prescribed in the Thirty-second Section of the said Act passed in the Eighteenth and Nineteenth Years of Her Majesty in the Case of a Person offending as therein mentioned.

Provisions of former Acts relating to Maltsters and the making of Malt to be applied to the Purposes of this Act.

10. All the Provisions, Regulations, Penalties, and Forfeitures contained in the several Acts of Parliament now in force in relation to Maltsters or the making of Malt, and also the Provisions contained in the Sections herein-after enumerated of the said Act of the Eighteenth and Nineteenth Years of Her Majesty's Reign, Chapter Ninety-four, that is to say, Sections Six, Eleven, Thirteen, Fourteen, Fifteen, Sixteen, Eighteen, Nineteen, Twenty, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, and Thirty-one, so far as they relate to Maltsters not being Distillers, and so far as the same shall be consistent with the express Provisions of this Act, shall be applied and put in execution with respect to Maltsters and the making of Malt under this Act as fully and effectually to all Intents and Purposes as if the same had been repeated and specially enacted, mutatis mutandis, with reference to Maltsters and the making of Malt under this Act.

Continuance of the Act.

11. This Act shall continue and be in force for *Five* Years from the passing thereof, and until the *End of the then next Session of Parliament*, and shall then expire, except as to any Act done or Offence committed, or any Penalty or Forfeiture previously incurred.

Malt for Cattle.

A

B I L L

To allow the making of Malt Duty-free to be used in feeding Cattle.

(*Prepared and brought in by Mr. Chancellor of the Exchequer, Mr. Peel, and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed,* 9 *February* 1864.

[Bill 6.]

Under 1 *oz.*

26 *February* 1864. 27 Vict.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Allow the making of Malt Duty-free to be used in feeding Animals.

WHEREAS it is expedient to allow Malt to be made Duty-free to be used in the feeding of Animals: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for any Person who shall give such Security as herein-after required in that Behalf, and upon taking out a proper Licence as a Maltster, to make Malt under the Provisions of this Act in a Malthouse approved by the Commissioners of Inland Revenue for the sole Purpose of being consumed in the feeding of Animals, and all Malt which shall be so made and which shall be mixed with Linseed Cake or Linseed Meal as herein-after directed in such Malthouse, or with such other Substance as may hereafter be approved by the said Commissioners, shall be free from the Duties of Excise chargeable on Malt; and it shall also be lawful for any Maltster (not being a Distiller) who shall be entitled to make Malt for the Purpose of being consumed in the distilling of Spirits under the Provisions of the Act passed in the Eighteenth and Nineteenth Years of Her Majesty's Malt may be made and used free of Duty in the feeding of Animals, if mixed with Linseed, &c.

Majesty's Reign, Chapter Ninety-four, to mix Malt with the Materials aforesaid for the sole Purpose of being consumed in the feeding of Animals, upon his complying with the Provisions and Regulations of this Act.

Persons making Duty-free Malt under this Act to give Security against Frauds.

2. Every Person who shall intend to make Malt Duty-free under the Provisions of this Act shall enter into a Bond to Her Majesty, with Two or more sufficient Sureties to the Satisfaction of the Commissioners of Inland Revenue, and in such Sum as the said Commissioners shall think proper, conditioned to the Purport [or Effect following; (that is to say,) that such Maltster shall duly make into Malt all Corn and Grain which shall be received into any such Malthouse as aforesaid, and shall not take, send out, remove, or deliver from any such Malthouse as aforesaid any Malt, except Malt duly mixed with some Material prescribed by this Act in that Behalf, and removed in conformity with the Provisions of this Act, and shall not convey away, hide, or conceal any Malt or Corn or Grain contrary to any of the Provisions of this Act, or of any Act in force in relation to Maltsters or the making of Malt; and the Condition of such Bond shall also contain all such further Terms and Stipulations as the Commissioners of Inland Revenue shall deem to be necessary or proper for enforcing Compliance on the Part of such Maltster with the Terms and Provisions of this Act, and the Regulations which the said Commissioners may make in pursuance thereof, or for preventing Frauds in relation to the Malt to be made by such Maltster; and such Maltster shall give a fresh Bond, with such Sureties as aforesaid, when and as often as he shall be required so to do by the said Commissioners, and in default thereof he shall not be entitled to make Malt Duty-free under the Provisions of this Act.

Maltsters under this Act to designate their Malthouses.

3. Every Person who shall make Malt under the Provisions of this Act shall paint or place and fix in Letters distinctly legible, Three Inches at the least in Height, and of a proper and proportionate Breadth, conspicuously upon the principal Gate, Door, or Entrance of his Malthouse, his Christian and Surname, together with the Words "Entered to make Malt to be used in feeding Animals," and shall preserve and keep the same so painted or placed and fixed, and shall repaint and renew the same as often as Occasion shall require.

Malt to be conveyed from Store to Grinding Room under such Regulations as Commissioners shall appoint.

4. All Malt made under the Provisions of this Act shall be deposited in a Storeroom provided by the Maltster and entered with the Excise for that Purpose, and shall be conveyed to and from the Room in which the same is intended to be ground as herein-after mentioned upon such Notice to the Officer of Excise and under such Regulations as the Commissioners of Inland Revenue shall direct and appoint in that Behalf.

5. The

Maltster to provide a secure Room for grinding and mixing Malt.

5. The Maltster shall provide at his own Expense a safe and secure Room or Rooms in his Malthouse, to be approved in Writing by the proper Collector and Supervisor of the District, for the Purpose of grinding and mixing the Malt made by him in such Malthouse; and all such Rooms so to be provided as aforesaid shall be properly secured to the Satisfaction of the said Collector and Supervisor, and shall be at all Times kept locked by the proper Officer of Excise, and neither the Maltster nor his Servants or Workmen shall be admitted therein, except upon such a Notice in Writing to be given by the Maltster to the Officer as the said Commissioners shall direct.

Malt to be mixed with Linseed Cake or Meal, &c.

6. All Malt made under the Provisions of this Act shall, before the Removal thereof from the Malthouse in which the same shall have been made, be ground and thoroughly mixed with One Tenth Part at the least of its Weight of ground Linseed Cake or Linseed Meal or other Substance as aforesaid; and all such Malt, and the said Material to be mixed therewith, shall be ground to such a Degree of Fineness and in such Manner as the said Commissioners shall direct or approve, and shall be mixed together in a Quantity not less than Forty Bushels at a Time in the Presence of an Officer of Excise by such Means and in such Manner as shall be directed or approved by the said Commissioners; and for any Refusal or Neglect on the Part of the Maltster to comply with the Requirements of this Clause, or any of them, the Malt and also the Material mixed or intended to be mixed therewith shall be forfeited.

Maltster to keep an Account of all mixed Malt sent out, and of the Name of the Person to whom sent.

7. The Maltster shall keep an Account, in such Form as the Commissioners shall supply to him for that Purpose, of the Quantity, by Weight or Measure as the Commissioners shall require, of all Malt mixed as aforesaid which he shall from Time to Time send out or deliver from his Malthouse, with the respective Dates of such sending out or Delivery, and the Name and Place of Abode of the Person to or for whom such mixed Malt shall be so sent or delivered, together with such other Particulars respecting the same as the said Commissioners shall require in that Behalf.

Penalty for separating Malt from Linseed Cake or Meal mixed therewith.

8. All Malt which shall be found mixed with Linseed Cake or Linseed Meal or other Substance as aforesaid shall be deemed to have been mixed under the Provisions of this Act, and if any Person shall separate or attempt to separate any Malt from any Material with which the same shall have been mixed as aforesaid, or shall use any Malt which shall have been so mixed as aforesaid in or for the brewing of Beer or distilling of Spirits, he shall forfeit the Sum of Two hundred Pounds, and all such Malt and Material shall be forfeited.

Persons found unlawfully removing Malt from a Malthouse entered under this Act to be dealt with in manner directed by 32d Section of 18 & 19 Vict. c. 94.

9. If any Person shall be found taking or removing Malt, or any Corn or Grain making into Malt, from any Malthouse or Premises on the principal or outer Gate whereof the Words "Entered to make Malt to be used in feeding Animals" shall be painted, placed, or fixed, and not being Malt mixed with such Material as aforesaid, and removing under and according to the Provisions of this Act, he shall be dealt with in like Manner and be liable to the like Penalty and Punishment as are prescribed in the Thirty-second Section of the said Act passed in the Eighteenth and Nineteenth Years of Her Majesty in the Case of a Person offending as therein mentioned.

Provisions of former Acts relating to Maltsters and the making of Malt to be applied to the Purposes of this Act.

10. All the Provisions, Regulations, Penalties, and Forfeitures contained in the several Acts of Parliament now in force in relation to Maltsters or the making of Malt, and also the Provisions contained in the Sections herein-after enumerated of the said Act of the Eighteenth and Nineteenth Years of Her Majesty's Reign, Chapter Ninety-four, that is to say, Sections Six, Eleven, Thirteen, Fourteen, Fifteen, Sixteen, Eighteen, Nineteen, Twenty, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, and Thirty-one, so far as they relate to Maltsters not being Distillers, and so far as the same shall be consistent with the express Provisions of this Act, shall be applied and put in execution with respect to Maltsters and the making of Malt under this Act as fully and effectually to all Intents and Purposes as if the same had been repeated and specially enacted, mutatis mutandis, with reference to Maltsters and the making of Malt under this Act.

Continuance of the Act.

11. This Act shall continue and be in force for Five Years from the passing thereof, and until the End of the then next Session of Parliament, and shall then expire, except as to any Act done or Offence committed, or any Penalty or Forfeiture previously incurred.

Malt for Cattle.

A

BILL

[AS AMENDED IN COMMITTEE]

To allow the making of Malt Duty-free to be used in feeding Animals.

(*Prepared and brought in by Mr. Chancellor of the Exchequer, Mr. Peel, and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed,* 26 *February* 1864.

[Bill 37.]

Under 1 *oz.*

Married Women's Acknowledgments Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Perpetual Commissioners for taking Acknowledgments of Deeds by Married Women in England authorized to take Acknowledgments relating to Land in Ireland, and Consents to Payments out of Court of Chancery, Ireland; Sect. 1.

Perpetual Commissioners authorized to take Acknowledgments relating to Land in England, and Consents to Payments out of Court of Chancery in England; 2.

A

B I L L

TO

Facilitate the taking of Acknowledgments of Married Women in England and Ireland.

WHEREAS it is expedient to obviate the Expense of issuing a separate Commission in each Case of taking an Acknowledgment of a Married Woman in England in respect of Property in Ireland, and è converso, and also to obviate the Expense of appointing special Commissioners in each Case to take Consent of Married Women to the Payment out of the Court of Chancery of Funds to which they are interested: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Perpetual Commissioners for taking Acknowledgments of Deeds by Married Women in England authorized to take Acknowledgments relating to Land in Ireland, and Consents to Payments out of Court of Chancery, Ireland.

1. The perpetual Commissioners in England for taking Acknowledgments of Deeds by Married Women shall have the like Powers to take the Acknowledgment of Married Women residing in England relating to Land in Ireland as if a Special Commission were issued to them for that Purpose, and shall have the like Power of taking the Consent of Married Women resident in England to the Payment of Money out of the Court of Chancery in Ireland to their Husbands or otherwise as if a special Commission were issued to them for that Purpose.

Perpetual Commissioners authorized to take Acknowledgments relating to Land in England and Consents to Payments out of Court of Chancery in England.

2. The perpetual Commissioners in Ireland for taking Acknowledgments of Deeds by Married Women shall have the like Powers to take the Acknowledgments of Married Women residing in Ireland relating to Land in England as if a special Commission were issued to them for that Purpose, and shall have the like Powers of taking the Consent of Married Women resident in Ireland to the Payment of Money out of the Court of Chancery in England to their Husbands or otherwise as if a special Commission were issued to them for that Purpose.

Married Women's Acknowledgments.

A

BILL

To facilitate the taking of Acknowledgments of Married Women in England and Ireland.

(Prepared and brought in by Mr. Attorney General for Ireland and Sir Robert Peel.)

Ordered, by The House of Commons, *to be Printed,* 27 *May* 1864.

[Bill 122.]

Under 1 *oz.*

A

BILL

TO

Alter and amend the Law relating to Contracts of Service between Master and Servant.

WHEREAS it is expedient that the Law relating to the determining of Complaints between Masters and their Servants arising under their Contract of Service should be amended, and that further Provision should be made for the determining of such Complaints: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Masters and Servants Amendment Act, 1864." Short Title.

2. The following Words in this Act shall have the Meanings hereby assigned to them, unless such Meanings shall be excluded by the Subject or Context: Interpretation of Terms.

"Master" shall mean and include any Person, Firm, or Company, who has entered into a Contract of Service with any Servant, Workman, Artificer, Labourer, or other Person:

"Servant" shall mean and include any Servant, Workman, Artificer, Labourer, or other Person who has entered into a Contract of Service with any Master:

"Contract of Service" shall mean and include a Contract to serve for any Time, or to execute any Piece of Work:

"Judge" shall mean and include the Judge of any County Court in England, the Judge of the Sheriff's Court of the City of London, and the Sheriff of any County in Scotland:

"Sheriff" in Scotland shall include Sheriff Substitute.

Complaints, by whom to be heard and determined.

3. All Complaints, Differences, and Disputes which may arise between Masters and their Servants under the Contract of Service entered into between them, whether such Contract shall be in Writing or not in Writing, shall be heard and determined,—

In England, by the County Court Judge, or by the Judge of the Sheriff's Court of the City of London, having Jurisdiction where the Party against whom such Complaint is made resides or carries on Business; and

In Scotland, by the Sheriff of the County within which the Party against whom the Complaint is made resides or carries on Business.

Upon Complaint, Judge to issue Summons to Party complained against.

4. When any Question, Difference, or Dispute shall arise as to the Rights or Liabilities of either of the Parties to a Contract of Service under such Contract, the Party feeling aggrieved may apply by Complaint to the Judge having Jurisdiction, stating shortly the Grounds of such Complaint, when the Judge shall issue his Summons directing the Party against whom such Complaint is made to appear before him at a Time and Place to be mentioned in such Summons to answer to the said Complaint; and every such Summons, and a Copy of the Complaint upon which the same proceeds, shall be served upon the Person complained against, according to the Forms in use for serving any Summons or Writ of the Court from which such Summons is issued.

After hearing the Case, Judge to pronounce his Order thereupon.

5. The Judge shall, at the Time and Place appointed by the Summons issued by him as aforesaid, or at any other Time or Place to which he may adjourn the Hearing of the Case, inquire into and try such Complaint, and after hearing what each Party shall have to say, either in support of such Complaint or in answer thereto, and considering the Evidence adduced and the whole Matter, shall determine the same, and shall find the said Complaint established, or dismiss the same, with such Order as to Costs as he may think fit; and when the Judge shall find the Complaint established, he may pronounce an Order requiring the Defendant to complete his Contract or fulfil his Obligations under the same, or he may pronounce an Order terminating such Contract, and discharging the Parties from their respective Obligations in future under the same; and in every Case, where the Judge shall find the

the Complaint established, and pronounce an Order requiring the Defendant to complete his Contract as aforesaid or fulfil his Obligations under the same, he shall in such Order assess and determine the Damages which the Complainant may sustain in the event of the Defendant's Failure to complete such Contract or fulfil his Obligations under the same.

On Failure to comply with Order, Judge may issue Warrant of Distress, &c.

6. In every Case where the Defendant fails to complete his Contract, or fulfil his Obligations under the same, as directed in the Order to be pronounced as aforesaid, the Judge may, upon the Application of the Complainant, and upon Proof of such Failure to the Satisfaction of the Court, give Judgment in favour of the Complainant against the Defendant for Payment by him to the Complainant of the Amount of Damages assessed in such Order; and in case of Refusal or Neglect by or on the Part of the Defendant to pay the same within the Space of Twenty-one Days from the Date of such Judgment, the Judge may, upon the Application of the Complainant, and upon Proof of such Refusal or Neglect to the Satisfaction of the Court, issue his Warrant to levy the same by Distress and Sale in England, and Poinding and Sale in Scotland, of the Goods and Chattels of such Defendant, rendering to him the Overplus, if any, after Payment of the Charges of such Distress and Sale.

Where Complaint established, Judge may assess Damages for Breach of Contract.

7. In every Case where the Judge shall find the Complaint established as aforesaid, and shall pronounce an Order terminating the Contract, and discharging the Parties from their respective Obligations in future under the same, he shall assess and determine the Damages, if any, which the Complainant may have sustained by reason of the Defendant not having completed such Contract, or fulfilled his Obligations under the same, and make an Order for the Payment by the Defendant to the Complainant of the Amount of Damages so assessed, and in case of Refusal or Neglect by or on the Part of the Defendant to pay the same within the Space of Twenty-one Days from the Date of such Judgment, the Judge may, upon the Application of the Complainant, and Proof of such Refusal or Neglect to the Satisfaction of the Court, issue his Warrant to levy the same in manner aforesaid of the Goods and Chattels of such Defendant, rendering to him the Overplus (if any) after Payment of the Charges of such Distress and Sale.

Parties may appear by Counsel, &c.

8. It shall be lawful for the Complainant or Defendant in any Complaint presented under the Authority of this Act to appear in support of or in answer to such Complaint by his Counsel, Attorney, or Agent.

9. It shall not be necessary in any Procedure under the Authority of this Act to record the Evidence adduced, but on the Record of the

Proceedings, &c., to be set forth on Record of Complaint.

Orders hereunder not to be appealed against.

the Complaint shall be set forth the Defendant's Answer to such Complaint, if any, the Names of the Witnesses (if any) examined upon Oath or Affirmation, and the Orders and Judgment by the Judge; and no Order or Judgment pronounced under the Authority of this Act shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Supreme Courts of Record in England, or be challenged in Scotland in any Process of Appeal, Suspension, Advocation, Reduction, or other Process of Review.

All prior Acts inconsistent herewith repealed.

10. All prior Acts relating to the Recovery of Wages, or the Determination of Complaints and Disputes between Masters and Servants, shall be and the same are hereby repealed, in so far as the same are inconsistent with or repugnant to the Powers and Provisions of this Act, but no further or otherwise.

A

B I L L

To alter and amend the Law relating to Contracts of Service between Master and Servant.

(Prepared and brought in by Mr. Cobbett and Mr. Cox.)

Ordered, by The House of Commons, *to be Printed,* 21 *July* 1864.

[Bill 232.]

Under 1 *oz.*

A

B I L L

TO

Amend "The Metropolis Management Amendment Act, 1862."

WHEREAS Doubts have arisen whether certain Portions of Great Tower Hill, which are shown and coloured Green and Red upon a Map or Plan, duplicate Copies whereof have been lodged at the Offices of Her Majesty's Principal Secretary of State for the War Department and the Metropolitan Board of Works, form Part of the District of the Tower mentioned in Schedule B. to the Metropolis Local Management Act (1855), and are subject to the Provisions of the same Act: And whereas it is expedient that such Doubts should be removed, and that such Portions of Great Tower Hill should be declared to form Part of the said District of the Tower for all the Purposes of the said Act: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. Such Portions of Great Tower Hill as are shown and coloured Green and Red upon the said Map or Plan herein-before referred to form Part of the District of the Tower mentioned in Schedule B. to Certain Portions of Tower Hill to form Part

of Tower District.

the Metropolis Local Management Act, 1855, for all the Purposes of the said Act.

Powers of Trustees under 37 G. 3. c. 87. continued.

Saving Rights of the Queen and of the Mayor, &c. of London.

2. Provided always, That the Trustees for the Time being under the Act of Parliament of the Thirty-seventh Year of His Majesty King George the Third, Chapter Eighty-seven, shall continue to have Powers to maintain, manage, pave, water, cleanse, improve, and regulate the enclosed Garden or Ornamental Ground coloured Red on the said Plan, and to levy Rates for defraying the Expenses incurred in the Execution of such Powers; and that nothing herein contained shall extend, or be construed to extend, to impair, alter, affect, or prejudice the Right or Title of Her Majesty, Her Heirs or Successors, or Her or Their Officers or Ministers, and of the Mayor and Commonalty and Citizens of the City of London and their Successors, claiming Right or Title in or to such Portion of Great Tower Hill as is referred to in this Act, for any public Purposes for which the same or any Part thereof hath been at any Time heretofore used or otherwise, but that such Right and Title shall continue as if this Act had not been passed.

Metropolis Management Act (1862) Amendment.

A

B I L L

To amend "The Metropolis Management Amendment Act, 1862."

(*Prepared and brought in by Mr. Baring, Mr. Cowper, and Mr. Tite.*)

Ordered, by The House of Commons, *to be Printed* 15 *July* 1864.

[Bill 219.]

Under 1 *oz.*

3 *March* 1864. 27 VICT.

A

BILL

TO

Make Provision respecting the Use of Subways constructed by the Metropolitan Board of Works in the Metropolis.

WHEREAS by virtue of the Powers by the Covent Garden Approach and Southwark and Westminster Communication Act, 1857, the Victoria Park Approach Act, 1858, the Metropolis Improvement Act, 1863, and otherwise, vested in the Metropolitan Board of Works, herein-after called the Board, various Subways have been constructed or are proposed to be constructed in the Metropolis; and the Board may also be enabled, under the Metropolis Management Act, 1855, and the Acts extending the same, or some of them, or other Acts to be passed, to construct other Subways in the Metropolis: And whereas, in order to prevent Inconvenience to the Public by the frequent breaking up of Streets, it is expedient to enable the Board to require Companies or Persons intending to place Gas, Water, and other Pipes in the Streets under which Subways are constructed by the Board to lay the same in the Subways, and also to require Companies or Persons having such Pipes in such Streets to remove them, and lay them in the Subways, upon proper Terms and Conditions; and it is expedient to make other Provision respecting the Use of Subways in the Metropolis: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Metropolis Subways Act, 1864."

Interpretation of Terms.

2. In this Act the Term "Subway" means an arched Passage or covered Way under the Surface of a Street, constructed for the Reception of Gas, Water, and other Pipes; the Term "Street" has the same Meaning as it has in the Act of 1855, "for the better Local Management of the Metropolis;" the Term "Pipe" includes Gas Pipe, Water Pipe, Tube for Telegraph Wires, or other Tube, and any Apparatus connected with a Pipe or Tube; the Term "the Board of Trade" means the Lords of the Committee of Her Majesty's Privy Council for the Time being appointed for the Consideration of Matters relating to Trade and Foreign Plantations.

As to new Pipes.

Power for Board to require Companies, &c. to use Subways.

3. Where any Company, Body, or Person is desirous of laying any Pipe under the Surface of any Street under which the Board has before or after the passing of this Act constructed a Subway, and the Board, by Notice served on such Company, Body, or Person, requires them or him to lay the same in the Subway, then, notwithstanding anything in any Special or General Act of Parliament contained, it shall not be lawful for such Company, Body, or Person to lay the same under the Surface of the Street otherwise than in the Subway.

As to Pipes laid before Construction of Subways.

Power for Board to require Transfer to Subways.

4. Where the Board has, before or after the passing of this Act, constructed a Subway under any Street, and a Pipe has been before the Construction of the Subway laid under the Surface of the Street, the Board may, by Notice served on the Company, Body, or Person to whom the Pipe belongs, require them or him to remove the same, and, if they or he so desire, to lay the same in the Subway.

Prohibition of opening Surface of Streets after Notice from Board.

5. From and after the Service of any such Notice as herein-before is authorized, notwithstanding anything in any Special or General Act of Parliament contained, it shall not be lawful for the Company, Body, or Person on whom the Notice is served to open or break up the Surface or Pavement of the Street to which the Notice relates, for the Purpose of laying under the Surface of the Street any such Pipe as is mentioned in the Notice, or for the Purpose of renewing, repairing, altering, or making a Communication with any such Pipe already so laid.

6. If

Remedies against Companies, &c. violating foregoing Provisions.

6. If any Company, Body, or Person lays a Pipe or opens or breaks up the Surface or Pavement of a Street in any respect in contravention of the foregoing Provisions, they or he shall for every such Offence (without Prejudice to any other Remedy or Proceeding against them or him) be liable to a Penalty not exceeding *Twenty Pounds;* and the Board (whether having the Control or Management of the Surface and Soil of the Street or not), if they think fit, may remove the Pipe so laid, and may in any Case fill in the Ground and make good the Surface and Pavement of the Street so opened or broken up; and the Expenses incurred by the Board in so doing shall be repaid, on Demand, to the Board, by such Company, Body, or Person, and, in default of Payment, may be recovered as a Penalty is under this Act recoverable.

As to Pipes laid before Construction of Subways.

Power for Companies, &c. to appeal to Board of Trade against Requisition for Transfer to Subways.

7. Provided always, That if any Company, Body, or Person whom under the foregoing Provisions the Board requires to remove any Pipe which was laid under the Surface of a Street before the Construction of the Subway thereunder objects to comply with such Requisition, the Board of Trade may, on the Application of such Company, Body, or Person, make Inquiry into the Matter of the Requisition and Objection, and if it appears to the Board of Trade that the Removal of such Pipe, and the placing of it in the Subway, cannot, under the Circumstances of the Case, be effected consistently with a due Regard to the Purposes for which such Pipe is used, the Board of Trade may so declare, and thereupon the Requisition shall be deemed to be cancelled.

If in any such Case it appears to the Board of Trade to be expedient that the Matter should be determined by an Arbitrator, the Board of Trade may (whether the Board of Trade has entered on the Investigation or not) refer the Matter to some competent and impartial Person as Arbitrator; and the Determination of any such Arbitrator shall have the like Effect as a Determination of the Board of Trade under the present Section. The reasonable Expenses and Remuneration of the Arbitrator (to be settled in case of Difference by the Board of Trade) shall be paid by the Board.

Right of all Companies, &c. to use Subways for Pipes of a like Kind to those admitted by Board.

8. So long as the Board allows any Gas Pipe, or any Water Pipe, or any Pipe of any other particular Kind, to be laid in any Subway constructed by the Board, the Board shall, so far as Space will admit, and without Favour or Preference, allow to be laid in such Subway, as the Case may be, the Gas Pipes, or the Water Pipes, or the Pipes of such other particular Kind as aforesaid, belonging to every Company, Body, and Person who may be desirous of laying such Pipes in such Subway.

Rent or other Payment by Companies, &c. for Use of Subways.

9. The Board may, if they think fit, demand and receive Payment by way of annual Rent or otherwise from any Company, Body, or Person for the Use by them or him of any Subway.

The Amount and Form of every such Payment shall, in case of Difference, be determined by Arbitration, in accordance with the Railway Companies Arbitration Act, 1859, which Act shall take effect and apply in every such Case of Difference as nearly as may be as if the Board and the Company, Body, or Person differing were Two Companies, within the Meaning of that Act, who had agreed on a Reference of the Matter in difference to the Arbitration of Two Arbitrators, in accordance with that Act.

22 & 23 Vict. c. 59.

Application to this Act of Powers, &c. of Local Management Act, &c.

10. For the Purposes and in the Execution of this Act, the Board shall have and may exercise all such Powers, Privileges, and Authorities as are conferred on the Board by the Acts constituting and regulating the Board, and, as far as may be, the Provisions of those Acts shall apply for the Purposes and in the Execution of this Act; and in particular the Provisions of those Acts relative to Byelaws shall extend to empower the Board to make, alter, and repeal Byelaws for regulating the Use of Subways constructed by the Board before or after the passing of this Act, and of the Communications therewith; and Penalties under this Act shall be recoverable and applicable as Penalties under the said Acts are recoverable and applicable.

See Section 202 and following Sections of the Local Management Act, 1855.

Expenses of Act.

11. The Costs, Charges, and Expenses of and incidental and preliminary to the obtaining and passing of this Act, and incurred by the Board in relation thereto, and of carrying the same into effect, shall be paid by the Board out of the Funds which they may raise under the Metropolis Management Act, 1855, and the Acts amending the same.

Metropolitan Subways.

A

BILL

To make Provision respecting the Use of Subways constructed by the Metropolitan Board of Works in the Metropolis.

(*Prepared and brought in by Mr. Tite, Mr. Taverner John Miller, and Mr. Doulton.*)

Ordered, by The House of Commons, *to be Printed*, 3 *March* 1864.

[Bill 42.]

Under 1 *oz.*

A

B I L L

TO

Facilitate the Traffic of the Metropolis by improving the Communications across the River Thames.

WHEREAS it will conduce greatly to the Public Advantage to facilitate the Passage of Traffic across the Thames within the Metropolis, and with that View it is expedient that Power should be given to the Metropolitan Board of Works to purchase any One or more of the Bridges named in the Schedule annexed hereto: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Metropolitan Board of Works may purchase by Agreement any One or more of the said scheduled Bridges, and any Bridge so purchased shall ever thereafter be open for public Use free from Toll. It shall be the Duty of the said Board to endeavour to purchase Southwark and Waterloo Bridges before purchasing the said other Bridges. Power to purchase Bridges.

2. The

Power to sell Bridges.

2. The Company to whom any of the said Bridges belong, if they are not otherwise authorized to sell the same, shall have Power to sell and convey the same to the Metropolitan Board of Works, by a Resolution passed at a Meeting of the Company specially summoned for the Purpose, by a Majority of *Two Thirds* of the Votes of the Persons present at that Meeting, and entitled to vote thereat.

Mode of raising Purchase Money.

3. For the Purpose of defraying the Expenses of the Purchase of any Bridge in pursuance of this Act the Metropolitan Board of Works may levy a Rate, to be called a Bridge Rate, not to exceed *One Penny* in the Pound, until *the First of January One thousand eight hundred and eighty-four*, and such Rate shall be levied in the same Manner, from the same Persons, and subject to the same Conditions of Appeal, and otherwise, as a Main Drainage Rate.

Contribution of City of London.

4. The Corporation of London shall contribute out of the Bridgehouse Estates Fund a Sum of not less than *Fifty thousand Pounds* towards the Purchase Money of Southwark Bridge, and in levying any Rate for the Purposes of this Act within the City of London or the Liberties thereof Allowance shall be made proportionate to the said Contribution.

Expense of maintaining Bridges.

5. Southwark Bridge, when purchased, shall be maintained by the Corporation of London out of the Bridgehouse Estates Fund, but any other Bridge purchased by the Metropolitan Board of Works shall be maintained by that Board out of the same Funds as Sewers within their Jurisdiction are now maintainable.

Definition of Bridge and Persons.

6. The Term "Bridge" shall include such Approaches to and other Appurtenances of a Bridge as belong to the Company owning the Bridge itself, and "Persons" shall include Corporations.

SCHE-

SCHEDULE to which this Bill refers.

Southwark Bridge.
Waterloo Bridge.
Vauxhall Bridge.
Battersea Bridge.
Chelsea (Suspension) Bridge.
Hammersmith Bridge.
Deptford Creek Bridge.

Metropolitan Traffic.

A

B I L L

To facilitate the Traffic of the Metropolis by improving the Communications across the River Thames.

(*Prepared and brought in by Mr. Alderman Salomons, Mr. Locke, Mr. Jackson, and Mr. Taverner Miller.*)

Ordered, by The House of Commons, *to be Printed,* 31 *May* 1864.

[Bill 129.]

Under 1 *oz.*

Mortgage Debenture Bill.

ARRANGEMENT OF CLAUSES.

Short Title and Constitution of Company; Sect. 1.
Form of Mortgage Debenture; 2.
Mortgage Debentures to be numbered; 3.
Rights of Holders of Mortgage Debentures; 4.
Application of Company's Assets, notwithstanding Mortgage Debenture; 5.
List of Mortgage Debentures to be kept by Company; 6.
Transfers of Mortgage Debentures transferable by Delivery; 7.
Transfers of Mortgage Debentures not transferable by Delivery; 8.
Entry of Transfers by Deed of Mortgage Debentures to be made by Company; 9.
Payment of Interest secured by Mortgage Debentures; 10.
Payment of Money secured at Time fixed; 11.
Priority of Payment of Principal and Interest secured by registered Mortgage Debentures; 12.
Land Securities Register to be established in Office of Land Registry; 13.
Registrar of Titles, &c. to conduct Business of Register; 14.
Registration to determine Fees; 15.
Collection of Fees; 16.
Other Forms to be fixed by Registrar; 17.
Inspection of Register; 18.
Registration of Mortgage Debentures; 19.
Only Mortgage Debentures according to Act to be registered; 20.
Register of Securities held by Company; 21.
Entry in Register of Discharge and Cancellation of Mortgage Debenture; 22.
Register Evidence of Mortgage Debentures; 23.
Quarter Days for Purposes of Act; 24.
Company to make Quarterly Returns to Registrar; 25.
Contents of Company's Quarterly Returns to Registrar; 26.

Estimate for Quarterly Returns of Amount or Value of Annuities; 27.
Vouching of Quarterly Returns; 28.
Registrar's Quarterly Certificate; 29.
Delivery to Company and Registration of Certificate; 30.
Limit of Mortgage Debentures to be issued by Company; 31.
Stamps on Mortgage Debentures transferable by Delivery; 32.
Stamp Acts applied to Stamps under Act; 33.
Registrar, &c. not personally liable for executing Act; 34.
Provision for General Acts; 35.
SCHEDULES.

A

B I L L

INTITULED

An Act to enable certain Companies to issue Mortgage Debentures, and for the greater Security of the Holders of such Debentures.

[Note.—*The Words and Clauses printed in Red Ink are proposed to be inserted in Committee.*]

WHEREAS it is expedient that Provision should be made whereby certain Companies may be enabled to issue Mortgage Debentures, and for the greater Security of the Holders of the same: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may for all Purposes be cited as "The Mortgage Debenture Act, 1864," and shall apply to every Company established under "The Companies Act, 1862," as a Company, with a Capital in Shares of not less in nominal Value than Fifty Pounds each, and in respect of each of which Shares not less than One Tenth and not more than One Half of the nominal Amount thereof shall have been paid, and on which at least One hundred thousand Pounds shall have Short Title and Constitution of the Company.

have been paid up, and by whose Memorandum of Association the Objects for which the Company are established are limited to—

1. The making of Advances of Money repayable with Interest either at fixed Times and by Instalments, and by way of Terminable Annuity or otherwise, upon the Security—
   (*a.*) Of Messuages, Lands, Hereditaments, and Real Property of all Descriptions and Tenures, and of all Estates and Interests therein:
   (*b.*) Of Rates, Dues, Assessments, and Impositions of all Descriptions, upon the Owners or Occupiers of Lands or Real Property, imposed by or under the Authority of any Act of Parliament, Public or Private, Royal Charter, Commission of Sewers or Drainage, or other sufficient legal Authority:
   (*c.*) Of Charges and Securities of all Descriptions upon or affecting Messuages, Lands, Hereditaments, and Real Property of all Descriptions and Tenures, made, given, or issued under the Authority of any Act of Parliament, Public or Private:
2. The borrowing of Money on transferable Mortgage Debentures issued in the Manner herein-after provided.

Form of Mortgage Debenture.

2. Every Mortgage Debenture from Time to Time issued by the Company shall be a Deed under the Common Seal of the Company, and duly stamped, and bearing the Signatures of at least Two of the Directors, and the Counter Signature of the Manager, Secretary, or Accountant of the Company, and wherein the Consideration is duly stated, and shall be in accordance with the Form in the Second Schedule to this Act annexed, or as near thereto as Circumstances reasonably permit.

Mortgage Debentures to be numbered.

3. The Mortgage Debentures shall be respectively of Sums not less than Fifty Pounds, and shall be numbered consecutively, beginning with Number One; and every Mortgage Debenture shall be distinguished by its appropriate Number, and notwithstanding the Cancellation or Loss or Destruction of a Mortgage Debenture no other Mortgage Debenture shall bear the Number of the Mortgage Debenture so cancelled, lost, or destroyed.

Rights of Holders of Mortgage Debentures.

4. The Persons from Time to Time entitled to the Benefit of the Company's Mortgage Debentures shall be entitled one with another to their respective Proportions of the Company's total available Assets comprised in the Mortgage Debentures, according to the respective Principal Sums by the Mortgage Debentures respectively secured, and to be repaid the Sums so advanced, with

with Interest, without any Preference one above another by reason of Priority of the Date of any such Mortgage Debenture or otherwise.

Application of Company's Assets, notwithstanding Mortgage Debenture.

5. No Mortgage Debenture shall be a specific Charge on any Messuage, Lands, Hereditaments, or Property, Estate, or Interest, comprised in or affected by any Security of the Company, so as to preclude the Company from receiving and applying to the Purposes of the Company or otherwise dealing with any Part of the Company's total available Assets.

List of Mortgage Debentures to be kept by Company.

6. A List of Mortgage Debentures shall be kept by the Company's Secretary; and on the Issue of any Mortgage Debenture an Entry of the Number and Date thereof, and of the Principal Money secured thereby, and, unless the Mortgage Debenture be to Holder, the Name, Description, and Residence of the Person to whom it is issued shall be entered in the List.

Transfers of Mortgage Debentures transferable by Delivery.

7. Any Party entitled to any Mortgage Debenture transferable by Delivery from Time to Time may transfer his Right and Interest in, to, under, and in respect of the same to any other Person, by delivering the Mortgage Debenture to the Person, with the Intent thereby to transfer the same; and the Person who from Time to Time is the Holder of any Mortgage Debenture transferable by Delivery shall, in the Absence of Notice to the contrary, be deemed to be entitled thereto, and to receive and give effectual Receipts for the Principal Money and Interest thereby secured.

Transfers of Mortgage Debentures not tranferable by Delivery.

8. Any Party entitled to any Mortgage Debenture not transferable by Delivery from Time to Time may transfer his Right and Interest in, to, under, and in respect of the same to any other Person, and the Transfer shall be by Deed or Endorsement duly stamped, wherein the Consideration shall be truly stated, and may be in accordance with the Form in the Schedule to this Act annexed, or to the like Effect.

Entry of Transfers by Deed of Mortgage Debentures to be made by Company.

9. Within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom, it shall be produced to the Company's Secretary, and thereupon the Secretary shall make an Entry in a List in the same Manner as in the Case of the original Mortgage Debenture; and after the Entry the Transfer shall entitle the Transferee to the full Benefit of the original Mortgage Debenture, so far as it is then in force; and no Party having

made the Transfer shall have Power to make void, release, or discharge the Mortgage Debenture so transferred, or any Money thereby secured; and for the Entry the Company may demand not exceeding Two Shillings and Sixpence; and until the Entry the Company shall not be in any Manner responsible to the Transferee in respect of the Mortgage Debenture.

Payment of Interest secured by Mortgage Debentures.

10. The Interest on the Money secured by any Mortgage Debenture shall be paid at the Periods appointed in the Mortgage Debenture, or, if no Period be appointed, half-yearly to the Party from Time to Time entitled thereto.

Payment of Money secured at Time fixed.

11. Every Mortgage Debenture shall be made payable at a fixed Period, not exceeding Ten Years from the Date thereof, at the Expiration of which Period the Principal Sum or the Instalment thereof to be then paid, with the Arrears of Interest thereon, shall be paid, on Demand, to the Party entitled to the Mortgage Debenture; and if no other Place of Payment be expressed in the Mortgage Debenture, the Principal Money and Interest shall be payable at the registered Office of the Company; and Six Calendar Months Notice shall be given to every registered Holder of a Mortgage Debenture not transferable by Delivery, by Letter signed by the Secretary, and addressed to him at his registered Place of Abode, of the Day on which and the Place at which such Mortgage Debenture will be due and payable.

Priority of Payment of Principal and Interest secured by registered Mortgage Debentures.

12. The Principal Money and Interest secured by the Mortgage Debentures duly registered in accordance with this Act shall be payable to the several Parties from Time to Time entitled thereto in preference to all other Debts and Liabilities of the Company, whether due on Simple Contract or on any Specialty, and to all Dividends to the Shareholders of the Company.

Land Securities Register to be established in Office of Land Registry.

13. There shall be established in the Office of Land Registry, in respect of every Company issuing Mortgage Debentures under this Act, a Register, which shall be called the Register of Mortgage Debentures, and another Register which shall be called the Register of Securities.

Registrar of Titles, &c. to conduct Business of Register.

14. The Business of the Register shall be conducted by or under the Direction of the Registrar of Titles to Landed Estates, with the Aid of the Assistant Registrar and the other Officers and Servants of the Office, and in accordance with such Rules and Regulations as the Registrar, with the Sanction of the Lord Chancellor, from Time to Time prescribes; and the Expression "the

"the Registrar," in other Sections of this Act, includes "the Assistant Registrar."

Registrar to determine Fees.

15. There shall from Time to Time be paid by the Company or others, in respect of Business transacted under this Act at the Register, such Fees as the Registrar, with the Sanction of the Lord Chancellor, from Time to Time prescribes, and all Fees so paid shall be paid by or under the Direction of the Registrar into the Receipt of Her Majesty's Exchequer, and carried to the Account of the Consolidated Fund of the United Kingdom; and there shall also be paid by the Company to the Registrar, the Assistant Registrar, and the other Officers and Servants of the Office respectively, such Remuneration for their respective Services in the Execution of this Act as the Lord Chancellor from Time to Time sanctions.

Collection of Fees.

16. The following Rules shall be observed with respect to the Collection of Fees:

(*a.*) All Fees so payable shall be received by Stamps denoting the Amount of Fees payable, and not in Money:

(*b.*) When a Fee is payable in respect of a Document, a Stamp denoting the Amount of the Fee shall be affixed to the Document:

(*c.*) The Commissioners of Inland Revenue shall provide everything that is necessary for the Collection of the Monies by this Act directed to be paid by Stamps.

Other Forms to be fixed by Registrar.

17. The Forms of Returns and of Certificates and Endorsements, and other Forms to be used for the Purposes of this Act, shall be such as are set forth in the First Schedule to this Act, or as near thereto as the Circumstances admit, and where such Forms are not applicable, in such other Form as the Registrar, with the Sanction of the Lord Chancellor, may from Time to Time prescribe.

Inspection of Register.

18. Subject to such Regulations, and on Payment of such Fees as the Registrar, with the Sanction of the Lord Chancellor, from Time to Time prescribes, any Person may inspect and make Copies of and Extracts from the Register.

Registration of Mortgage Debentures.

19. When any Mortgage Debenture of the Company is duly executed and stamped, the Company shall produce it to the Registrar, in order to its being registered, and thereupon the Registrar shall enter in the Register of Mortgage Debentures the Number and the Date of the Mortgage Debenture, the Amount of the Principal Money thereby secured, and the Time or Times for Repayment of the Principal Money thereby secured, and shall make

on the Mortgage Debenture an Endorsement stating the Day and Hour at which the Mortgage Debenture was produced to him for Registration, and of the Page of the Book in which the Entry thereof is made, and such Endorsement shall be sufficient Evidence that the Debenture is a Mortgage Debenture, within the Provisions of this Act, and the Company issuing it is duly qualified so to do.

Only Mortgage Debentures according to Act to be registered.

20. The Registrar shall not register any Mortgage Debenture which in his Judgment is not in accordance with this Act.

Register of Securities held by Company.

21. When any Deed of Mortgage, Grant of Annuity, or other Security to the Company is duly executed and stamped, the Company shall produce it to the Registrar, in order to its being registered, and thereupon the Registrar shall enter in the Register of Securities the Date of the Deed or other Instrument, its Nature, whether Mortgage, Grant of Annuity, or other Security, the Amount of the Principal Money, and the Rate of Interest thereby secured, and the Time or Times for the Payment of the Principal Money, or the Amount and Duration of the Annuity thereby secured, the Nature of the Property, if any, comprised in the Security, whether an Estate of Freehold only, or in Fee or for a Term of Years, or otherwise, as the Case requires, and shall make on the Deed or Instrument an Endorsement stating the Day and Hour at which it was produced to him for Registration, and the Page of the Book in which the Entry thereof is made, and that the Deed or Instrument has been registered as a Security for the Issue of Mortgage Debentures under this Act; and thereupon such Deed or Instrument shall not be available for or applicable to any other Purpose, or be dealt with in any other Way, until an Entry shall have been made on the Register of Securities of its being freed from that Charge, and an Endorsement to that Effect shall have been made by the Registrar on the Deed or Instrument: Provided that the Registrar shall not register any such Security until there shall have been produced for his Inspection, and left to be registered, a Certificate by a Surveyor or Land Agent, to be approved by the Inclosure Commissioners for England and Wales, that the saleable Value of the Property included in the Security on which any Money of the Company is advanced exceeds the Amount of such Advance, and of every other Charge thereon, to the Extent of One Fourth at least of such saleable Value.

Entry in Register of Discharge and Cancellation of Mortgage Debenture.

22. When a Mortgage Debenture is produced to the Registrar discharged or cancelled he shall make in the Register of Mortgage Debentures an Entry of the Discharge or Cancellation.

23. For

Register Evidence of Mortgage Debentures.

23. For the Purposes of this Act, the several Mortgage Debentures from Time to Time appearing on the Register of Mortgage Debentures as issued by the Company, and not appearing by the Register to be cancelled, shall for the Purposes of this Act be deemed to be in force, and the several Principal Sums from Time to Time appearing by the registered Mortgage Debentures to be thereby respectively secured shall for the Purposes of this Act be deemed to be the Principal Sums so secured.

Quarter Days for Purposes of Act.

24. The Thirty-first Day of March, the Thirtieth Day of June, the Thirtieth Day of September, and the Thirty-first Day of December in every Year shall be the Quarter Days for the Purposes of this Act.

Company to make Quarterly Returns to Registrar.

25. When the Company issue any Mortgage Debentures under this Act, and from Time to Time, so long as any such Mortgage Debenture remains in force, the Company shall, within Ten Days after every Quarter Day, make out and deliver to the Registrar the Quarterly Return by this Act prescribed; and every Quarterly Return shall be verified by the Statutory Declaration of Two Directors, and the Manager, Secretary, or Accountant of the Company.

Contents of Company's Quarterly Returns to Registrar.

26. Every Quarterly Return to be made by the Company to the Registrar shall be in a tabular Form, and shall contain, with reference to the then last Quarterly Day, the following Particulars:

(*a.*) An Account of all the Company's Mortgages, Annuities, and other Securities in this Act referred to as the Companies Securities, showing the Aggregate of all Principal Sums remaining secured to them and unpaid, and showing also the aggregate Amount or the aggregate estimated Value of all Annuities and other periodical Payments secured to them:

(*b.*) An Account showing the particular and aggregate Amounts, and the Value or estimated Value of the Company's Investments in Stocks, Funds, and other Property of fluctuating Value, and their Cash in Hand and at Call, and showing also the Aggregate of the same Principal Sums and Amounts or estimated Values and Cash, and also the total Number and aggregate nominal Amount of the Shares of the Company's Capital held by Persons registered in the Company's Books as the Holders thereof, and the aggregate Amount paid up in respect of those registered Shares, and the aggregate Amount remaining to be paid thereon, and which total aggregate Amounts together

together are in this Act referred to as the Company's Guarantee Fund :

(*c.*) The Numbers and Dates of the several Mortgage Debentures, issued by the Company and remaining in force, and the several Principal Sums secured by those Mortgage Debentures respectively, and the aggregate Amount thereof, and the Rates of Interest payable on those Principal Sums respectively, and the Time or Times for the Repayment of those Principal Sums respectively.

Estimate for Quarterly Returns of Amount or Value of Annuities.

27. The Amount or Value of the Annuities and other periodical Payments to be comprised in the Quarterly Returns shall be ascertained or estimated in such Manner as the Registrar, with the Sanction of the Lord Chancellor, from Time to Time prescribes.

Vouching of Quarterly Returns.

28. With every Quarterly Return, and in order to vouch the same, the Company shall produce to the Registrar, for Comparison with the Return, such of the Mortgages, Annuity Deeds, and other Securities of the Company to which the Return relates as the Registrar requires.

Registrar's Quarterly Certificate.

29. When the Registrar has examined the Quarterly Return, and is satisfied as to the Correctness thereof, he shall make in duplicate, and authenticate with the Seal of his Office and his Signature, a Certificate stating that the prescribed Quarterly Return has been made by the Company, and ascertained by him to be correct, and stating, in a tabular Form, with reference to the then last Quarterly Day, the following Particulars :—

(*a.*) The Amount appearing by the Return to be the Amount of the Company's Securities, distinguishing the Totals of the Principal Sums secured to them, and of the Amounts or estimated Values of their Annuities and other periodical Payments :

(*b.*) The Amount appearing by the Return to be the Amount of the Company's Guarantee Fund :

(*c.*) Annexed to the Certificate a Schedule containing in a tabular Form the Numbers and Dates of the several Mortgage Debentures issued by the Company and remaining in force, and the several Principal Sums secured by those Mortgage Debentures respectively, and the aggregate Amount thereof, and the Times for the Payment of those Principal Sums respectively.

Delivery to Company and Registration of Certificate.

30. The Registrar shall deliver the Certificate, with the Schedule annexed thereto, signed by him, to the Company, and shall retain and register a Duplicate thereof.

31. The

31. The Company shall not issue Mortgage Debentures for securing an aggregate Principal Sum exceeding at any One Time the then total Amount of the Company's Securities, or Ten Times the Amount for the Time being of its uncalled Share Capital. Limit of Mortgage Debentures to be issued by Company.

32. The Stamp Duty payable on the Mortgage Debentures transferable by Delivery shall be the ad valorem Duty which by the Act of the Session of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter Fifty-nine, Section Fourteen, is prescribed in the Case of Mortgages given by public Companies as therein expressed. Stamps on Mortgage Debentures transferable by Delivery.

33. The several Acts from Time to Time in force relating to Stamps under the Care or Management of the Commissioners of Inland Revenue shall apply to the Stamps to be provided in pursuance of this Act, and to Documents on which the Stamps are impressed, and to collecting and securing the Sums of Money denoted by Stamps, and to preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully as if the Provisions were in this Act repeated and specially enacted with reference to those Stamps and Sums of Money respectively. Stamp Acts applied to Stamps under Act.

34. No Person, being the Registrar, Assistant Registrar, or other Officer or Servant of the Office of Land Registry, shall be liable to any Action, Suit, or other Proceeding, or any Claim or Demand, by reason of anything lawfully done by him in the Execution of this Act. Registrar, &c. not personally liable for executing Act.

35. This Act shall not exempt the Company from the Provisions of any Act relating to Joint Stock Companies, and affecting Joint Stock Companies, and applicable to the Company. Provision for General Acts.

SCHEDULES.

FIRST SCHEDULE.

Form of Quarterly Return.

Mortgage Debenture Act, 1864.

The First Quarterly Return of the Company, with reference to the 30th Day of September 1864.

The Company's Securities.

	£
1. Aggregate Principal Sum secured by Mortgage	150,000
2. Aggregate estimated Value of Annuities	20,000
3. Aggregate estimated Value of all other periodical Payments	10,000
	£ 180,000

The Company's Guarantee Fund.

1. Investments in Property of fluctuating Value:		
Consols	£ 5,000	4,500
Reduced £3 per Cents	2,000	1,800
Exchequer Bills	7,000	7,200
Cash in Hand		500
Cash at Bankers		1,500
Cash in Agent's Hands		1,000
		£ 16,500
2. 40,000 Shares of £50 each held by registered Holders	£ 2,000,000	
Paid up thereon	100,000	
Remaining unpaid thereon, being "The Company's Guarantee Fund"		£ 1,900,000
		£ 1,916,500

Liabilities.

LIABILITIES.

Mortgage Debenture issued and in force.

No.	Date.	Yearly Rate per Cent. of Interest.	Time for Repayment of Principal.	Principal Sum secured.
				£
1	August 1, 1864	Four - - - -	August 1, 1869	10,000
2	August 1, 1864	Four - - - -	August 1, 1869	5,000
3	August 10, 1864	Three and Three Quarters	August 10, 1871	20,000
		and so on.		
			Total - £	

SECOND SCHEDULE.

FORM OF MORTGAGE DEBENTURE TRANSFERABLE BY DEED.

The Company.

Mortgage Debenture, No. , £ .

By virtue of "The Mortgage Debenture Act, 1864," we, the Company, in consideration of £ paid to us by [*A.B.*, of], do assign unto [*A.B.*, of], his Executors, Administrators, and Assigns, The Company's Securities, and all our Right and Interest therein and thereto, to hold unto [*A.B.*], his Executors, Administrators, and Assigns, until [£], with Interest thereon at the Rate of [ ] per Centum per Annum, be satisfied, the Principal Sum to be repaid on the Day of 18 [*if any Period be agreed on for the Purpose*], at [*or any Place of Payment other than the Company's registered Office.*]

Given under our Common Seal, this Day of A.D. 18 :

(*C.D.*) Director.
(*E.F.*) Director.

Countersigned (*G.H.*) Secretary.

FORM OF TRANSFER OF MORTGAGE DEBENTURE TRANSFERABLE BY DEED.

I [*A.B.*], in consideration of [£] paid to me by [*C.D.* of], hereby transfer to the said [*C.D.*], his Executors, Administrators, and Assigns, the Mortgage Debenture No. [ ], dated the [ ]

Day of [ ] 18 [ ], made by the Company to [ ] for securing [£] and Interest, [*or, if the Transfer be by Endorsement*, the within Security,] and all my Right and Interest in and to the Principal Money and Interest thereby secured, and the Company's total available Assets thereby assigned.

As witness my Hand and Seal, this [ ] Day of [ ] A.D. 18 [ ].

FORM OF MORTGAGE DEBENTURE TRANSFERABLE BY DELIVERY.

The Company.

Mortgage Debenture to Holder, No. , £ .

By virtue of the "Mortgage Debenture Act, 1864," we, the Company, in consideration of Pounds paid to us, do assign unto the Holder of this Mortgage Debenture the Company's total available Assets, and all our Right and Interest therein and thereto, to hold unto the Holder of this Mortgage Debenture until Pounds, with Interest thereon at the Rate of Pounds per Centum per Annum, be satisfied, the Principal Sum to be repaid on the Day of 18 at [*or any Place of Payment other than the Company's registered Office*].

Given under our Common Seal, this Day of A.D. 18 .

(*C.D.*) Director.
(*E.F.*) Director.

Countersigned (*G.H.*) Secretary.

Mortgage Debenture.

A

BILL

INTITULED

An Act to enable certain Companies to issue Mortgage Debentures, and for the greater Security of the Holders of such Debentures.

(*Brought from the Lords* 17 *June* 1864.)

Ordered, by The House of Commons, *to be Printed,* 23 *June* 1864.

[Bill 169.]

Under 2 oz.

A

BILL

TO

Assimilate the Law of Ireland to that of England as to the Qualification of Burgesses in Municipal Corporations.

Preamble.

WHEREAS it is expedient to assimilate the Law of Ireland to that of England as to the Qualifications of Burgesses in Municipal Corporations: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of 3 & 4 Vict. c. 108. s. 30.

1. The Thirtieth Section of an Act passed in the Fourth Year of Her Majesty's Reign, Chapter One hundred and eight, intituled "An Act for the Regulation of Municipal Corporations in Ireland," shall be and is hereby repealed.

Qualification of Burgessss and Voters at Municipal Elections.

2. After this Act shall have come into operation in every Borough named in Schedule (A.) to the said Act, and also in any Borough named in Schedule (B.) to the said Act, or other Town to which a Charter of Incorporation under the said Act or any Act for amending the same has been or shall be granted, every Person qualified as herein-after

after mentioned shall, if duly enrolled according to the Provisions contained in the said Act, or any Act for amending the same, be a Burgess of such Borough, and a Member of the Body Corparate of the Mayor, Aldermen, and Burgesses of such Borough; and in any Borough named in the said Schedule (B.), in which a Board of Municipal Commissioners is in the said Act directed to be constituted, every Person qualified as herein-after mentioned shall be entitled to vote at the Election of such Commissioners; that is to say, every Male Person of full Age who on the *last Day of August* in any Year shall have occupied any House, Warehouse, Counting-house, or Shop within any Borough during that Year and the whole of each of the *Two preceding Years*, and also during the Time of such Occupation shall have been an Inhabitant Householder within the said Borough or within *Seven Miles* of the said Borough, shall, if duly enrolled in that Year according to the Provisions herein-after contained, be a Burgess of such Borough, and Member of the Body Corporate of the Mayor, Aldermen, and Burgesses of such Borough: Provided always, that no such Person shall be so enrolled in any Year unless he shall have been rated in respect of such Premises so occupied by him within the Borough to all Rates made for the Relief of the Poor where such Premises are situated during the Time of his Occupation as aforesaid, and unless he shall have paid, on or before the *last Day of August* as aforesaid, all such Rates, including therein all Borough Rates, if any, directed to be paid under the Provisions of the said Act or any Act for amending the same, as shall have become payable by him in respect of the said Premises, except such as shall become payable within *Six Calendar Months* next before the said *last Day of August;* provided also, that the Premises in respect of the Occupation of which any Person shall have been so rated need not be the same Premises or in the same Parish, but may be different Premises in the same Parish or in different Parishes.

Provisions of this Act and the 3 & 4 Vict. c. 108. to be construed together.

3. This Act shall be construed together with and be deemed to form Part of the said Act of the Fourth Year of Her Majesty's Reign.

Municipal Corporations (Ireland).

A

B I L L

To assimilate the Law of Ireland to that of England as to the Qualification of Burgesses in Municipal Corporations.

(*Prepared and brought in by Mr. M'Mahon, Sir Colman O'Loghlen, and Mr. Blake.*)

Ordered, by The House of Commons, *to be Printed,* 8 *June* 1864.

[Bill 139.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act for giving effect to a Convention between Her Majesty and the King of Prussia for the mutual Surrender of Criminals.

WHEREAS a Convention between Her Majesty and the King of Prussia for the mutual Surrender of Criminals, in the Words and Figures set forth in the Schedule hereto, was signed at London on the Fifth Day of March One thousand eight hundred and sixty-four, and the Ratifications thereof were exchanged at London on the Eleventh Day of April One thousand eight hundred and sixty-four: And whereas it is expedient that Provision should be made for carrying the said Convention into effect: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of "Magistrate."

1. The Term "Magistrate" in this Act shall mean a Justice of the Peace or any other Person or Court in the United Kingdom, the Channel Islands, or any other Part of Her Majesty's Dominions, having Power to commit for Trial Persons accused of Crimes against the Law of that Part of Her Majesty's Dominions in which any Offender liable to be delivered up under this Act is found.

 2. Where

Certain Offenders to be apprehended on Requisition of an Ambassador of the King of Prussia.

2. Where Requisition has been made pursuant to the said Convention, in the Name of His Majesty the King of Prussia, by His Ambassador or other accredited Diplomatic Agent, to deliver up to Justice any Person who, being accused or convicted of any Crime for which such Person is liable to be delivered up in pursuance of the said Convention, is found within the Dominions of Her Majesty, it shall be lawful for One of Her Majesty's Principal Secretaries of State by Warrant under his Hand and Seal to signify that such Requisition has been made, and to require all Magistrates within their several Jurisdictions to govern themselves accordingly, and to aid in apprehending the Person so accused or convicted, herein-after referred to as the Fugitive, and in committing him to Gaol for the Purpose of his being delivered up to Justice according to the Provisions of the said Convention:

Upon the Issue of any such Warrant as aforesaid, it shall be lawful for any Magistrate acting within the Limits of his Jurisdiction to issue his Warrant for the Apprehension of the said Fugitive, and to commit him to Gaol, there to remain until delivered up pursuant to such Requisition as aforesaid; provided that the following Conditions are complied with before the Warrant is issued by the Magistrate:

Firstly, that in the Case of a Fugitive accused of Crime it is proved to the Satisfaction of the Magistrate, upon Oath or by Affidavit, that the Party applying to him for a Warrant is the Bearer of a Warrant of Arrest or other equivalent Judicial Document for the Arrest of the said Fugitive issued by a Judge or Magistrate duly authorized to take cognizance of the Acts charged against the Fugitive in Prussia, and clearly setting forth, in the Opinion of the Magistrate to whom the Application for a Warrant under this Act is made, the Acts in respect of which the original Warrant was issued:

Secondly, that in the Case of a Person accused such Evidence is produced to the Magistrate as, according to the Laws of the Part of Her Majesty's Dominions in which the Magistrate is acting, would in his Opinion justify the Apprehension and Committal for Trial of the Fugitive if the Crime of which he is accused had been there committed, with this Qualification, that Depositions or Statements on Oath, certified under the Hand of the Magistrate by whom the original Warrant was issued, and attested by the Oath of the Party producing them to be the original Depositions or Statements, or true Copies thereof, may be received in Evidence of the Criminality of the Fugitive apprehended:

Thirdly, that in the Case of a Fugitive convicted of Crime an authenticated Copy of the Conviction is produced, and Proof of the

the Identity of the Person convicted is given to the Satisfaction of the Magistrate:

Where any Person liable to be delivered up in pursuance of the said Convention is found in Ireland, a Warrant under the Hand of the Chief Secretary or of the Lord Lieutenant of Ireland shall for the Purposes of this Act be equivalent to a Warrant of One of Her Majesty's Principal Secretaries of State:

A Magistrate may administer an Oath for any of the Purposes of this Act:

The Warrant of any Police Magistrate of the Metropolis issued in pursuance of this Act may be executed in any Part of England, in the same Manner as if the same had been originally issued or subsequently endorsed by a Justice of the Peace having Jurisdiction in the Place where the same is executed.

Offenders to be delivered up.

3. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in the Case of any Person committed in Ireland for the Chief Secretary or the Lord Lieutenant of Ireland, and in the Case of any Person committed in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, by Warrant under his Hand and Seal to order any Fugitive committed in pursuance of this Act to be delivered up to such Person or Persons as may be duly authorized in the Name of the said King of Prussia to receive the Person so committed, and convey him to the Dominions of the King of Prussia, and such Fugitive shall be delivered up accordingly; and it shall be lawful for the Person or Persons authorized as aforesaid to receive, hold in Custody, and take to the Dominions of the King of Prussia the Fugitive so delivered to him; and if the said Fugitive escape out of any Custody to which he may be delivered as aforesaid it shall be lawful to retake him, in the same Manner as any Person accused of any Crime against the Laws of that Part of Her Majesty's Dominions to which he escapes may be retaken upon an Escape.

After Two Months the Persons apprehended may be discharged, if not conveyed out of Her Majesty's Dominions.

4. Where any Fugitive who has been committed under this Act, to remain until delivered up pursuant to Requisition as aforesaid, is not delivered up pursuant thereto, and conveyed out of Her Majesty's Dominions, within Two Calendar Months after such Committal, it shall be lawful for any of Her Majesty's Judges in that Part of Her Majesty's Dominions in which such Fugitive is in Custody, upon Application made to him by or on behalf of the Person so committed, and upon Proof that reasonable Notice of the Intention to make such Application has been given to some or One of Her Majesty's Principal Secretaries of State in Great Britain, or in Ireland to the Chief Secretary or the Lord Lieutenant of Ireland,

and in any of Her Majesty's Colonies or Possessions abroad to the Officer administering the Government of any such Colony or Possession, to order the Person so committed to be discharged out of Custody, unless sufficient Cause is shown to such Judge why the Prisoner should not be discharged.

Limits of Act.

5. If, by any Law or Ordinance to be hereafter made by the local Legislature of any British Colony or Possession abroad, Provision may be made for carrying into complete Effect within such Colony or Possession the Objects of this Act by the Substitution of some other Enactment in lieu thereof, it shall be competent to Her Majesty, with the Advice of Her Privy Council, (if to Her Majesty in Council it seem meet, but not otherwise,) to suspend the Operation within any such Colony or Possession of this Act so long as such substituted Enactment continues in force there, and no longer.

Continuance of Act.

6. This Act shall continue in force during the Continuance of the said Convention.

SCHE-

SCHEDULE.

CONVENTION between HER MAJESTY and the KING OF PRUSSIA, for the Mutual SURRENDER of CRIMINALS. Signed at London, March 5, 1864. Ratifications exchanged at London, April 11, 1864.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Prussia, having judged it expedient, with a view to the better Administration of Justice, and to the Prevention of Crime within their respective Territories and Jurisdictions, that Persons charged with or convicted of the Crimes herein-after enumerated, and being Fugitives from Justice, should, under certain Circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Convention for this Purpose; that is to say,

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, Viscount Amberley of Amberley and Ardsalla, a Peer of the United Kingdom, Knight of the Most Noble Order of the Garter, a Member of Her Majesty's Most Honourable Privy Council, Her Principal Secretary of State for Foreign Affairs;

And His Majesty the King of Prussia, His Excellency the Minister of State, Albert Count of Bernstorff-Stintenburg, Grand Cross of the Order of the Red Eagle with Oak Leaves, and Grand Commander of the Royal Order of the House of Hohenzollern in Diamonds, &c., &c., His Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty;

Who after having communicated to each other their respective full Powers, found in good and due Form, have agreed upon and concluded the following Articles:

ARTICLE I.

It is agreed that the High Contracting Parties shall, on Requisition made in their Name through the Medium of their respective Diplomatic Agents, deliver up to Justice Persons who, being accused or convicted of any of the following Crimes, namely,

1. Murder, comprehending the Crimes of Assassination, Parricide, Infanticide, and Poisoning;
2. Attempt to commit Murder;
3. Forgery, comprehending the counterfeiting of Bank Notes, or public Securities, or Money;
4. Fraudulent Bankruptcy;
5. Burglary (Nächtlicher Einbruch und Eindringen in ein Wohnhaus oder dazu gehöriges Nebengebäude mit der Absicht ein Verbrechen zu begehen);
6. Robbery with Violence to the Person robbed;
7. Larceny or Embezzlement by Clerks and Servants (Diebstahl oder Unterschlagung durch öffentliche oder Privat-Beamte, Geschäftsgehülfen und Gesinde);

committed within the Jurisdiction of the requiring Party, shall be found within the Territories of the other, provided that such Persons are not

Subjects of the Party upon whom the Requisition is made. Provided also, that in the Case of a Person accused, the Surrender shall be made only when the Commission of the Crime shall be so established, as that the Laws of the Country where the Fugitive or Person so accused shall be found would justify his Apprehension and Commitment for Trial, if the Crime had been there committed; and that in the Case of a Person convicted, the Surrender shall be made only on the Production of an authenticated Copy of his Conviction, and on Proof of his Identity.

Consequently, on the Part of the Prussian Government, the Surrender shall be made only by the Consent of the Minister to whose Department appertains the Administration of Justice, and after the Production, in the Case of a Person accused, of a Warrant of Arrest or other equivalent judicial Document, issued by a Judge or other competent Authority in the United Kingdom, clearly setting forth the Acts for which the Fugitive shall have rendered himself accountable; or, in the Case of a Person convicted, on the Production of an authenticated Copy of his Conviction, and on Proof of his Identity.

On the Part of the British Government, the Surrender, in the Case of a Person accused, shall be made only on the Warrant or other equivalent judicial Document for the Arrest of a Fugitive, issued by a Judge or Magistrate duly authorized to take cognizance of the Acts charged against the Fugitive in Prussia, and on duly authenticated Depositions or Statements on Oath before such Judge or Magistrate, clearly setting forth the said Acts, or on such other Evidence thereof as, according to the Laws of England, would warrant the Apprehension of the said Fugitive, and his Committal for Trial for the said Acts, if they had been therein committed; or, in the Case of a Person convicted, on the Production of an authenticated Copy of his Conviction, and on Proof of his Identity.

ARTICLE II.

The Expenses of any Detention and Surrender made in virtue of the preceding Article shall be borne and defrayed by the Government in whose Name the Requisition shall have been made.

ARTICLE III.

The present Convention shall come into operation as soon as the necessary Legislative Acts shall have been passed. Either of the High Contracting Parties shall be at liberty to give Notice to the other at any Time for its Termination, and in such Case it shall altogether cease and determine at the Expiration of Six Months from the Date of such Notice.

ARTICLE IV.

The present Convention shall be ratified, and the Ratifications shall be exchanged at London in One Month, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the Seal of their Arms.

Done at London the Fifth Day of March, in the Year of our Lord One thousand eight hundred and sixty-four.

(L.S.) RUSSELL.
(L.S.) BERNSTORFF.

Mutual Surrender of Criminals (Prussia).

A

BILL

INTITULED

An Act for giving effect to a Convention between Her Majesty and the King of Prussia for the mutual Surrender of Criminals.

(*Brought from the Lords* 21 *July* 1864.)

Ordered, by The House of Commons, *to be Printed*, 21 *July* 1864.

[Bill 231.]

Under 1 *oz.*

Naval Agency and Distribution Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

Preliminary.

1. Short Title.
2. Interpretation.
3. Power for Admiralty to apply Act to any of Her Majesty's Ships.

Appointment of Ship's Agent.

4. Each of Her Majesty's Ships to have an Agent.
5. Ship's Agent to be appointed by Commanding Officer.
6. Instrument of Appointment to be registered and filed.
7. Persons in Service of Crown, Proctors, &c. incapable of being Agents.
8. Partnership Body may be Agent.
9. Change of Commanding Officer.
10. Office of Ship's Agent.

Duties of Ship's Agent.

11. Ship's Agent to act for Ship with respect to Salvage, Bounty, Prize, &c.
12. Ship's Agent to be amenable to High Court of Admiralty.

Distribution of Salvage, Bounty, Prize, and other Money.

13. Salvage, Bounty, Prize, and other Money to be distributed according to Order in Council, &c.
14. Payment of Shares.
15. Exemption from Stamp Duty.

Remuneration of Ship's Agent.

16. Agent to receive Per-centage of 2½ per Cent.
17. Apportionment of Per-centage where more than One Ship, or on Change of Agent.

Investment of Salvage, Bounty, Prize, and other Money.

18. Power for Admiralty to direct Investment pending Distribution.

Decision as to Distribution or Investment.

19. Power for High Court of Admiralty to decide Questions relative to Distribution, &c.

Miscellaneous.

20. Savings for Rights of Crown, Captors, &c.
21. Saving for Appointments of Agents under Act of 1863.
22. Provision for pending Cases.
23. Power to make Orders in Council.
24. Commencement of Act.

SCHEDULE.

A

BILL

TO

Provide for the Appointment, Duties, and Remuneration of Agents for Ships of War, and for the Distribution of Salvage, Bounty, Prize, and other Money among the Officers and Crews thereof.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited as The Naval Agency and Distribution Act, 1864.

Interpretation.

2. In this Act—

The Term "the Lords of the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral:

The Term "the High Court of Admiralty" means the High Court of Admiralty of England:

The Term "Ship of War" includes Vessel of War:

The Term "Officers and Crew" includes all Flag Officers, Commanders, and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships of War.

Power for Admiralty to apply Act to any of Her Majesty's Ships.

3. Any Ship or Vessel belonging to Her Majesty, and in actual Service, (other than a Ship of War,) may be declared by the Lords of the Admiralty to be a Ship of War for the Purposes of this Act; and all the Provisions of this Act shall thereupon apply to such Ship or Vessel, and shall continue to so apply as long as she then continues in actual Service, but no longer.

Appointment of Ship's Agent.

Each of Her Majesty's Ships to have an Agent.

4. Each of Her Majesty's Ships of War shall at all Times while in Commission have, for the Purposes of this Act, an Agent styled the Ship's Agent, to be appointed in the first instance as soon as may be after the Ship is put in Commission, and afterwards from Time to Time as a Vacancy in the Office or other Occasion may require.

Ship's Agent to be appointed by Commanding Officer.

5. The Ship's Agent shall be appointed from Time to Time at Pleasure by the Commanding Officer of the Ship for the Time being by an Instrument signed and attested in the Form given in the Schedule to this Act.

Instrument of Appointment to be registered and filed.

6. Any such Instrument shall not have effect unless and until it is filed in the Registry of the High Court of Admiralty, having been previously registered in the Office of the Accountant General of the Navy.

An official Copy of any such Instrument under the Seal of the High Court of Admiralty shall be conclusive Evidence thereof.

Persons in Service of Crown, Proctors, &c. incapable of being Agents.

7. A Person holding any Office or Employment in Her Majesty's Service or under the Crown, or a Proctor, Attorney, or Solicitor, shall not be capable of being a Ship's Agent.

If any Person being a Ship's Agent accepts any such Office or Employment, or becomes a Proctor, Attorney, or Solicitor, his Appointment as Ship's Agent shall be thereby vacated.

Partnership Body may be Agent.

8. A Partnership Body, not incorporated, may be appointed a Ship's Agent; and in that Case the Partners for the Time being, or any One or more of them, may act as the Agent; and any Change of Partners shall not affect the Appointment.

The Names of the Partners shall at the Time of Appointment, and from Time to Time on any Change happening, be registered in the Office of the Accountant General of the Navy, and in the Registry of the High Court of Admiralty.

Change of Commanding Officer.

9. The Appointment of the Ship's Agent shall not be affected by a Change of the Commanding Officer of the Ship.

10. The

10. The Ship's Agent shall at all Times have an Office or Place of Business within *Five* Miles of the General Post Office, London. Office of Ship's Agent.

Duties of Ship's Agent.

11. It shall be the Duty of the Ship's Agent, by himself or by a proper Sub-Agent appointed and remunerated by him, to take or cause or procure to be taken all Steps and Proceedings, and do or cause or procure to be done all Things, that may be necessary or proper to be taken or done for any Purpose on behalf or in the Name of the Ship or of the Officers and Crew thereof, or any of them, in the several Cases following: Ship's Agent to act for Ship with respect to Salvage, Bounty, Prize, &c.

In case of Salvage Services rendered to any Ship or Cargo, or otherwise, within the Meaning of the Enactments for the Time being in force relating to Merchant Shipping:

In case of any Breach of any Law respecting National Character or otherwise relating to Merchant Shipping:

In case of any Seizure for Breach of any Law relating to the Customs:

In case of any Seizure or Capture under any Act relating to the Abolition of the Slave Trade:

In case of any Matter arising out of an Attack on or Engagement with Persons alleged to be Pirates, afloat or on Shore:

In case of any Capture, Re-capture, or Destruction of any Ship, Goods, or Thing in Time of War or Hostilities:

In case of any Special Service or other Matter in respect whereof any Grant, Reward, or Remuneration is payable.

12. The Ship's Agent shall be subject to the Jurisdiction and Authority of the High Court of Admiralty as if he were an Officer of the Court, and in case of any Neglect or Misconduct on his Part shall be liable to be proceeded against and punished accordingly. Ship's Agent to be amenable to High Court of Admiralty.

Distribution of Salvage, Bounty, Prize, and other Money.

13. In the several Cases aforesaid, Money distributable among the Officers and Crew of any of Her Majesty's Ships of War, so far as full Provision respecting the Distribution thereof is not made by or under any Act of Parliament other than this Act, shall be distributed under the Direction of the Lords of the Admiralty in such Shares as have been or may be specified in any Royal Proclamation or Order in Council. Salvage, Bounty, Prize, and other Money to be distributed according to Order in Council, &c.

14. The several Shares of any such Money as aforesaid shall be paid to the Persons entitled thereto in such Manner, and subject and Payment of Shares.

according to such Restrictions Conditions and Provisions as may from Time to Time be directed by Order in Council.

Any Assignment, Sale, or Contract of or relating to any such Money as aforesaid, payable in respect of the Services of any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, other than such as may be made or entered into under the Authority of and in conformity with any such Order in Council, shall be void.

Exemption from Stamp Duty.

15. All Bills, Orders, Receipts, and other Instruments drawn given or made under the Authority or in pursuance of any such Order in Council by to or upon any Officer or Person in the Service of Her Majesty or of the Lords of the Admiralty shall be exempt from Stamp Duty.

Remuneration of Ship's Agent.

Agent to receive Per-centage of 2½ per Cent.

16. Before any such Money is distributed among the Officers and Crew of any of Her Majesty's Ships of War there shall be paid, under the Direction of the Lords of the Admiralty, to the Ship's Agent a Per-centage of *Two and a Half* per Centum on the net Amount actually distributable, (after Payment of all Costs, Charges, and Expenses by Law payable out of such Money,) as the sole and full Remuneration of the Ship's Agent for his Services in the Case.

Apportionment of Per-centage where more than One Ship, or on Change of Agent.

17. In the following Cases,—

Where more than One of Her Majesty's Ships of War are entitled to participate in any such Money,—

Where the Ship's Agent is changed pending Proceedings,—

the Ship's Agent's Per-centage shall, in case of Difference, be apportioned between or among the respective Agents of the several Ships, or the several Persons having been and being the Ship's Agent (as the Case may be) in such Manner as the Registrar of the High Court of Admiralty may think just, having regard to the Duration and Character of the Services of the several Agents in the Case, subject to Objection to the Registrar's Award to be taken before the Judge of the Court.

Investment of Salvage, Bounty, Prize, and other Money.

Power for Admiralty to direct Investment pending Distribution.

18. Any Money for the Time being awaiting Distribution, but for any Reason not immediately distributable as aforesaid, may, under the Direction of the Lords of the Admiralty, be invested in or on any proper Stocks, Funds, or Securities; and the Proceeds of those Stocks, Funds, or Securities, and any Dividends or Interest accrued due thereon, shall be distributed as the Money invested would have been distributed if an Investment had not been made:

Provided,

Provided, that no such Investment shall be made of any Money pending any adverse Claim thereto, except with the Consent of the Claimant.

Decision as to Distribution or Investment.

Power for High Court of Admiralty to decide Questions relative to Distribution, &c.

19. Where any Question (whether in respect of asserted joint Capture, or in respect of Flag Shares, or in respect of any other Matter) arises concerning the Distribution of any Money distributable as aforesaid, or concerning any Investment thereof, actual or intended, the High Court of Admiralty shall have exclusive Jurisdiction to hear and determine the same; and any Person claiming an Interest in such Money, or the Lords of the Admiralty, may apply to the High Court of Admiralty for a Judgment on that Question; and the Court, after hearing the Parties interested, shall decide thereon, and such Decision shall be final, and shall be binding on all Persons concerned.

Miscellaneous.

20. Nothing in this Act shall—

Savings for Rights of Crown, Captors, &c.

(1.) authorize a Ship's Agent or his Sub-Agent to practise or act as a Proctor, Attorney, Solicitor, or other legal Practitioner in any Court; or

(2.) affect the Right or Power of the Officers and Crew of any of Her Majesty's Ships of War as Salvors, Seizors, Captors, Re-captors, or otherwise, or any of such Officers and Crew, to take or cause or procure to be taken any Step or Proceeding, or do or cause or procure to be done any Thing, that may be necessary or proper to be taken or done for any Purpose in any Court or elsewhere, in case of the Absence or Default of the Ship's Agent; or

(3.) affect any Right or Power of Control, or other Authority, that Her Majesty has or may exercise in any Prize Cause or other Proceeding.

Saving for Appointments of Agents under Act of 1863.

21. Nothing in this Act shall invalidate an Appointment of an Agent made before the Commencement of this Act under The Navy Prize Agents Act, 1863; but every Agent so appointed shall, from the Commencement of this Act, be subject to this Act as if he were appointed under it.

26 & 27 Vict. c. 116.

Provision for pending Cases.

22. With respect to any Case pending at the Commencement of this Act, in which it would be the Duty of the Ship's Agent to act if it had originated after the Commencement of this Act, it shall be his Duty to act in relation to all Steps and Proceedings to be taken and Things to be done in and concerning the same after the Com-

mencement of this Act, in like Manner in all respects as if the Case had originated after the Commencement of this Act.

In any such Case there shall be paid, under the Direction of the Lords of the Admiralty, to the Ship's Agent a Per-centage of such Amount, not exceeding *Two and a Half* per Centum, on the net Amount actually distributable among the Officers and Crew (after Payment of Costs, Charges, and Expenses as aforesaid) as the Registrar of the High Court of Admiralty may think just, having regard to the Duration and Character of the Services of the Ship's Agent in the Case, subject to Objection to the Registrar's Award to be taken before the Judge of the Court.

Power to make Orders in Council.

23. Her Majesty in Council may from Time to Time make such Orders as may seem meet respecting the Taxation and Allowance of the Costs, Charges, and Expenses of the Officers and Crew of any of Her Majesty's Ships of War, and of the Ship's Agent, and generally for the better Execution of this Act.

Commencement of Act.

24. This Act shall, with respect only to the making of any Order in Council under it, commence from its passing, and shall in all other respects commence from the Time appointed in the First Order in Council made under it, which latter Time shall be deemed the Time of Commencement of this Act.

SCHEDULE.

Form of Appointment of Ship's Agent.

I, ... ([1]) Commanding Officer of Her Majesty's ([2]) hereby appoint ..... ([3]) of ..... ([4]) to be the Ship's Agent for the Purposes of The Naval Agency and Distribution Act, 1864.

Dated the ..... Day of .....

(Signed) *A. B.*

Witness,

(Signed) *C. D.*

([1]) Name of Officer.
([2]) Description and Name of Ship.
([3]) Name of Agent.
([4]) Address of Agent.

Naval Agency and Distribution.

A

B I L L

To provide for the Appointment, Duties, and Remuneration of Agents for Ships of War, and for the Distribution of Salvage, Bounty, Prize, and other Money among the Officers and Crews thereof.

(*Prepared and brought in by Lord Clarence Paget and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 2 *March* 1864.

[Bill 39.

Under 2 oz.

Naval Agency and Distribution Bill

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

Preliminary.

1. Short Title.
2. Interpretation.
3. Power for Admiralty to apply Act to any of Her Majesty's Ships.

Appointment of Ship's Agent.

4. Each of Her Majesty's Ships to have an Agent.
5. Ship's Agent to be appointed by Commanding Officer.
6. Instrument of Appointment to be registered and filed.
7. Persons in Service of Crown, Proctors, &c. incapable of being Agents.
8. Partnership Body may be Agent.
9. Change of Commanding Officer.
10. Office of Ship's Agent.
11. Ship's Agent to be amenable to High Court of Admiralty.

Duties of Ship's Agent.

12. Ship's Agent to act for Ship with respect to Salvage, Bounty, Prize, &c.

Distribution of Salvage, Bounty, Prize, and other Money.

13. Taxation and Payment of Costs of Officers and Crew, Agents, &c.
14. Salvage, Bounty, Prize, and other Money to be distributed according to Order in Council, &c.
15. Payment of Shares.
16. Exemption from Stamp Duty.
17. Forfeited Shares and Deduction of Five per Cent. to be carried to Naval Prize Cash Balance.

Remuneration of Ship's Agent.

18. Agent to receive Per-centage of 2½ per Cent.
19. Apportionment of Per-centage where more than One Ship, or on Change of Agent.

Investment of Salvage, Bounty, Prize, and other Money.

20. Power for Admiralty to direct Investment pending Distribution.

Decision as to Distribution or Investment.

21. Power for High Court of Admiralty to decide Questions relative to Distribution, &c.

Miscellaneous.

22. Savings for Rights of Crown, Captors, &c.
23. Saving for Appointments of Agents under Act of 1863.
24. Power to make Orders in Council.
25. Commencement of Act.

SCHEDULE.

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Provide for the Appointment, Duties, and Remuneration of Agents for Ships of War, and for the Distribution of Salvage, Bounty, Prize, and other Money among the Officers and Crews thereof.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Naval Agency and Distribution Act, 1864. Short Title.

2. In this Act— Interpretation.

The Term "the Lords of the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral:

The Term "the High Court of Admiralty" means the High Court of Admiralty of England:

The Term "Ship of War" includes Vessel of War:

The Term "Officers and Crew" includes all Flag Officers, Commanders, and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships of War.

Power for Admiralty to apply Act to any of Her Majesty's Ships.

3. Any Ship or Vessel belonging to Her Majesty, and in actual Service, (other than a Ship of War,) may be declared by the Lords of the Admiralty to be a Ship of War for the Purposes of this Act; and all the Provisions of this Act shall thereupon apply to such Ship or Vessel, and shall continue to so apply as long as she then continues in actual Service, but no longer.

Appointment of Ship's Agent.

Each of Her Majesty's Ships to have an Agent.

4. Each of Her Majesty's Ships of War shall at all Times while in Commission have, for the Purposes of this Act, an Agent styled the Ship's Agent, to be appointed in the first instance as soon as may be after the Ship is put in Commission, and afterwards from Time to Time as a Vacancy in the Office or other Occasion may require.

Ship's Agent to be appointed by Commanding Officer.

5. The Ship's Agent shall be appointed from Time to Time at Pleasure by the Commanding Officer of the Ship for the Time being by an Instrument signed and attested in the Form given in the Schedule to this Act.

Instrument of Appointment to be registered and filed.

6. Any such Instrument shall not have Effect unless and until it is filed in the Registry of the High Court of Admiralty, having been previously registered in the Office of the Accountant General of the Navy.

An official Copy of any such Instrument under the Seal of the High Court of Admiralty shall be conclusive Evidence thereof.

Persons in Service of Crown, Proctors, &c. incapable of being Agents.

7. A Person holding any Office or Employment in Her Majesty's Service or under the Crown, or a Proctor, Attorney, or Solicitor, shall not be capable of being a Ship's Agent.

If any Person being a Ship's Agent accepts any such Office or Employment, or becomes a Proctor, Attorney, or Solicitor, his Appointment as Ship's Agent shall be thereby vacated.

Partnership Body may be Agent.

8. A Partnership Body, not incorporated, may be appointed a Ship's Agent; and in that Case the Partners for the Time being, or any One or more of them, may act as the Agent; and any Change of Partners shall not affect the Appointment.

The Names of the Partners shall at the Time of Appointment, and from Time to Time on any Change happening, be registered in the Office

Office of the Accountant General of the Navy, and in the Registry of the High Court of Admiralty.

Change of Commanding Officer.

9. The Appointment of the Ship's Agent shall not be affected by a Change of the Commanding Officer of the Ship.

Office of Ship's Agent.

10. The Ship's Agent shall at all Times have an Office or Place of Business within *Five* Miles of the General Post Office, London.

Ship's Agent to be amenable to High Court of Admiralty.

11. The Ship's Agent shall be subject to the Jurisdiction and Authority of the High Court of Admiralty as if he were an Officer of the Court, and in case of any Neglect or Misconduct on his Part shall be liable to be proceeded against and punished accordingly.

Duties of Ship's Agent.

Ship's Agent to act for Ship with respect to Salvage, Bounty, Prize, &c.

12. It shall be the Duty of the Ship's Agent, by himself or by a proper Sub-Agent appointed and remunerated by him, to take or cause or procure to be taken all Steps and Proceedings, and do or cause or procure to be done all Things, that may be necessary or proper to be taken or done for any Purpose on behalf or in the Name of the Ship or of the Officers and Crew thereof, or any of them, in the several Cases following:

In case of Salvage Services rendered to any Ship or Cargo, or otherwise, within the Meaning of the Enactments for the Time being in force relating to Merchant Shipping:

In case of any Breach of any Law respecting National Character or otherwise relating to Merchant Shipping:

In case of any Seizure for Breach of any Law relating to the Customs:

In case of any Seizure or Capture under any Act relating to the Abolition of the Slave Trade:

In case of any Matter arising out of an Attack on or Engagement with Persons alleged to be Pirates, afloat or on Shore:

In case of any Capture, Re-capture, or Destruction of any Ship, Goods, or Thing in Time of War or Hostilities:

In case of any special Service or other Matter in respect whereof any Grant, Reward, or Remuneration is payable.

Distribution of Salvage, Bounty, Prize, and other Money.

Taxation and Payment of Costs of Officers and Crew, Agents, &c.

13. Where in any of the several Cases aforesaid any Money is distributable among the Officers and Crew of any of Her Majesty's Ships of War, the Costs, Charges, and Expenses of the Officers and Crew and of the Ship's Agent, and all other (if any) Costs, Charges, or Expenses properly chargeable against that Money, shall be paid thereout before Distribution thereof, all such Costs, Charges, and

Expenses being first taxed and allowed by the proper Officer of the Court having Jurisdiction in the Case, and if there is no such Court then by the Registrar of the High Court of Admiralty.

Salvage, Bounty, Prize, and other Money to be distributed according to Order in Council, &c.

14. In the several Cases aforesaid, Money distributable among the Officers and Crew of any of Her Majesty's Ships of War, so far as full Provision respecting the Distribution thereof is not made by or under any Act of Parliament other than this Act, shall be distributed under the Direction of the Lords of the Admiralty in the Shares in that Behalf specified in any Royal Proclamation or Order in Council.

Payment of Shares.

15. The several Shares of any such Money as aforesaid shall be paid to the Persons entitled thereto in such Manner, and subject and according to such Restrictions Conditions and Provisions as may from Time to Time be directed by Order in Council.

Any Assignment, Sale, or Contract of or relating to any such Money as aforesaid, payable in respect of the Services of any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, other than such as may be made or entered into under the Authority of and in conformity with any such Order in Council, shall be void.

Exemption from Stamp Duty.

16. All Bills, Orders, Receipts, and other Instruments drawn given or made under the Authority or in pursuance of any such Order in Council by to or upon any Officer or Person in the Service of Her Majesty or of the Lords of the Admiralty shall be exempt from Stamp Duty.

Forfeited Shares and Deduction of 5 per Cent. to be carried to Naval Prize Cash Balance.

17. All forfeited and unclaimed Shares and Balances of Prize Money, and a Per-centage of Five Pounds in every One hundred Pounds out of the Proceeds of all Prizes, and out of all Grants to the Royal Navy and Marines, and out of all Bounty Money, and also out of all other Money distributable in the several Cases aforesaid among the Officers and Crew of any of Her Majesty's Ships of War out of which such Per-centage is at the Commencement of this Act by Law deducted shall, under the Direction of the Lords of the Admiralty, continue to be carried to and to form Part of the Naval Prize Cash Balance.

So much of the Naval Prize Cash Balance as the Lords of the Admiralty think expedient shall from Time to Time by Her Majesty's Paymaster General, under the Authority and Direction of the Lords of the Admiralty, be paid and transferred to the Consolidated Fund of the United Kingdom.

In case at any Time a Claim in respect of Prize or Bounty Money is made which the Naval Prize Cash Balance is not sufficient to meet there

there shall be paid out of the said Consolidated Fund a sufficient Sum to meet such Claim.

Remuneration of Ship's Agent.

Agent to receive Per-centage of 2½ per Cent.

18. Before any such Money as aforesaid is distributed among the Officers and Crew of any of Her Majesty's Ships of War there shall be paid, under the Direction of the Lords of the Admiralty, to the Ship's Agent a Per-centage of *Two and a Half* per Centum on the net Amount actually distributable, as the sole and full Remuneration of the Ship's Agent for his Services in the Case.

Apportionment of Per-centage where more than One Ship, or on Change of Agent.

19. In the following Cases,—

Where more than One of Her Majesty's Ships of War are entitled to participate in any such Money,—

Where the Ship's Agent is changed pending Proceedings,—

the Ship's Agent's Per-centage shall, in case of Difference, be apportioned between or among the respective Agents of the several Ships, or the several Persons having been and being the Ship's Agent (as the Case may be), in such Manner as the Registrar of the High Court of Admiralty thinks just, having regard to the Duration and Character of the Services of the several Agents in the Case, subject to Objection to the Registrar's Award to be taken before the Judge of the Court.

Investment of Salvage, Bounty, Prize, and other Money.

Power for Admiralty to direct Investment pending Distribution.

20. Any Money for the Time being awaiting Distribution, but for any Reason not immediately distributable as aforesaid, may, under the Direction of the Lords of the Admiralty, be invested in or on any proper Stocks, Funds, or Securities; and the Proceeds of those Stocks, Funds, or Securities, and any Dividends or Interest accrued due thereon, shall be distributed as the Money invested would have been distributed if an Investment had not been made:

Provided, that no such Investment shall be made of any Money pending any adverse Claim thereto, except with the Consent of the Claimant.

Decision as to Distribution or Investment.

Power for High Court of Admiralty to decide Questions relative to Distribution, &c.

21. Where any Question (whether in respect of asserted joint Capture, or in respect of Flag Shares, or in respect of any other Matter) arises concerning the Distribution of any Money distributable as aforesaid, or concerning any Investment thereof, actual or intended, the High Court of Admiralty shall have exclusive Jurisdiction to hear and determine the same; and any Person claiming an Interest in such Money, or the Lords of the Admiralty, may apply to the High Court of Admiralty for a Judgment on that Question;

tion; and the Court, after hearing the Parties interested, shall decide thereon, and such Decision shall be final, and shall be binding on all Persons concerned.

Miscellaneous.

Savings for Rights of Crown, Captors, &c.

22. Nothing in this Act shall—

(1.) authorize a Ship's Agent or his Sub-Agent to practise or act as a Proctor, Attorney, Solicitor, or other legal Practitioner in any Court; or

(2.) affect the Right or Power of the Officers and Crew of any of Her Majesty's Ships of War as Salvors, Seizors, Captors, Re-captors, or otherwise, or of any of such Officers and Crew, to take or cause or procure to be taken any Step or Proceeding, or do or cause or procure to be done any Thing, that may be necessary or proper to be taken or done for any Purpose in any Court or elsewhere, in case of the Absence or Default of the Ship's Agent; or

(3.) affect any Right or Power of Control, or other Authority, that Her Majesty has or may exercise in any Prize Cause or other Proceeding.

Saving for Appointments of Agents under Act of 1863. 26 & 27 Vict. c. 116.

23. Nothing in this Act shall invalidate an Appointment of an Agent made before the Commencement of this Act under The Navy Prize Agents Act, 1863; but every Agent so appointed shall, from the Commencement of this Act, be subject to this Act as if he were appointed under it.

Power to make Orders in Council.

24. Her Majesty in Council may from Time to Time make such Orders as seem meet for the better Execution of this Act.

Commencement of Act.

25. This Act shall, with respect only to the making of any Order in Council under it, commence from its passing, and shall in all other respects commence from the Time appointed in the First Order in Council made under it, which latter Time shall be deemed the Time of Commencement of this Act.

SCHE-

SCHEDULE.

Form of Appointment of Ship's Agent.

I, (1) Commanding Officer of Her Majesty's (2) hereby appoint (3) of (4) to be the Ship's Agent for the Purposes of The Naval Agency and Distribution Act, 1864.

Dated the Day of .

(Signed) *A. B.*

Witness,

(Signed) *C. D.*

(1) Name of Officer.
(2) Description and Name of Ship.
(3) Name of Agent.
(4) Address of Agent.

Naval Agency and Distribution.

A

B I L L

[AS AMENDED IN COMMITTEE]

To provide for the Appointment, Duties, and Remuneration of Agents for Ships of War, and for the Distribution of Salvage, Bounty, Prize, and other Money among the Officers and Crews thereof.

(*Prepared and brought in by Lord Clarence Paget and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 14 *April* 1864.

[Bill 63.]

Under 2 oz.

A

B I L L

INTITULED

An Act to make Provision for the Discipline of the Navy.

This Bill is a Reprint of the existing Naval Discipline Act (24 & 25 *Vict. c.* 115.) *with Amendments.*

New Clauses and Paragraphs, and new Words inserted in Clauses, are in Italics.

Words omitted are struck through.

A few formal Alterations necessarily made in Parts VI. and VII. are not indicated in the Print.

WHEREAS it is expedient to amend the Law relating to the Government of the Navy, whereon, under the good Providence of God, the Wealth, Safety, and Strength of the Kingdom chiefly depend:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART I.

Articles of War.

Public Worship.

Public Worship to be performed.

1. All Officers in Command of Her Majesty's Ships of War shall cause the Public Worship of Almighty God according to the Liturgy of the Church of England established by Law to be solemnly, orderly, and reverently performed in their respective Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently, and that the Lord's Day be observed according to Law.

Misconduct in the Presence of the Enemy.

Penalty for Misconduct in Action.

2. Every Flag Officer, Captain, Commander or Officer commanding subject to this Act who upon Signal of Battle, or on Sight of a Ship of an Enemy which it may be his Duty to engage, shall not,

(1.) Use his utmost Exertion to bring his Ship into Action;

(2.) Or shall not during such Action, in his own Person and according to his Rank, encourage his inferior Officers and Men to fight courageously;

(3.) Or who shall surrender his Ship to the Enemy when capable of making a successful Defence, or who in Time of Action shall improperly withdraw from the Fight,

shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or be imprisoned, and be also dismissed with Disgrace from Her Majesty's Service; and if he has acted from Negligence, or through other Default, he shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for not pursuing the Enemy and of not assisting a Friend in View.

3. Every Officer subject to this Act who shall forbear to pursue the Chase of any Enemy, Pirate, or Rebel, beaten or flying, or shall not relieve and assist a known Friend in View to the utmost of his Power, or who shall improperly forsake his Station, shall, if he has therein acted traitorously, suffer Death; if he has acted from Cowardice, suffer Death or such other Punishment as is herein-after mentioned; if he has acted from Negligence, or through other Default, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for delaying or discouraging the Service, or deserting his Post, &c.

4. When any Action or any Service is commanded, every Person subject to this Act who shall presume to delay or discourage the said Action or Service upon any Pretence whatsoever, or in the Presence or Vicinity of the Enemy shall desert his Post or sleep upon his Watch, shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for Misconduct of subordinate Officers and Men in Action.

5. Every Person subject to this Act, and not being a Commanding Officer, who shall not use his utmost Exertions to carry the Orders of his superior Officers into execution when ordered to prepare for Action, or during the Action, shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or such other Punishment as is herein-after mentioned; and if he has acted from Negligence, or through other Default, be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Communications

Communications with the Enemy.

6. All Spies for the Enemy shall be deemed to be Persons subject to this Act, and shall suffer Death, or such other Punishment as is herein-after mentioned. Penalty for Spies.

7. Every Person subject to this Act who shall traitorously hold— Penalty for corresponding, &c. with the Enemy.
(1.) Correspondence with or shall give Intelligence to the Enemy;
(2.) Or fail to make known to the proper Authorities any Information he may have received from the Enemy;
(3.) Or who shall relieve the Enemy with any Supplies,
shall suffer Death, or such other Punishment as is herein-after mentioned.

8. Every Person subject to this Act who shall, without any treacherous Intention, hold any improper Communication with the Enemy, shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned. Penalty for improper Communication with the Enemy.

Neglect of Duty.

9. Every Person subject to this Act who shall desert his Post or sleep upon his Watch, or negligently perform the Duty imposed on him, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned. Penalty for abandoning Post, &c.

Mutiny.

10. Where Mutiny is accompanied by Violence, every Person subject to this Act who shall join therein shall suffer Death, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall not use his utmost Exertions to suppress such Mutiny shall, if he has acted traitorously, suffer Death, or such other Punishment as is herein-after mentioned; if he has acted from Cowardice, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned; if he has acted from Negligence he shall be dismissed from Her Majesty's Service with Disgrace, or suffer such other Punishment as is herein-after mentioned. Penalty for Mutiny with Violence.

11. Where a Mutiny is not accompanied by Violence, the Ringleader or Ringleaders of such Mutiny shall suffer Death, or such other Punishment as is herein-after mentioned; and all other Persons who shall join in such Mutiny, or shall not use their utmost Exertions to suppress the same, shall suffer Imprisonment or such other Punishment as is herein-after mentioned. Penalty for Mutiny not accompanied by Acts of Violence.

12. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act from his Duty or Penalty for inciting to Mutiny.

Allegiance to Her Majesty, or endeavour to incite him to commit any Act of Mutiny, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for Civilians endeavouring to seduce from Allegiance.

13. Every Person, not otherwise subject to this Act, who, being on board any Ship of Her Majesty, shall endeavour to seduce from his Duty or Allegiance to Her Majesty any Person subject to this Act, shall so far as respects such Offence be deemed to be a Person subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making mutinous Assemblies or uttering seditious Words.

14. Every Person subject to this Act who shall make or endeavour to make any mutinous Assembly, or shall lead or incite any other Person to join in any mutinous Assembly, or shall utter any Words of Sedition or Mutiny, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Penalty for concealing any traitorous or mutinous Practice, Design, or Words.

15. Every Person subject to this Act who shall wilfully conceal any traitorous or mutinous Practice or Design, or any traitorous or mutinous Words spoken against Her Majesty, or any Words, Practice, or Design tending to the Hindrance of the Service, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Punishment for striking, &c. superior Officer.

See 22 G. 2. c. 33. s 2. § 22.

16. Every Person subject to this Act who shall strike ~~or offer to strike or use any Violence~~ *or with any Weapon attempt to strike, or draw or lift up any Weapon* against his superior Officer being in the Execution of his Office, shall be punished with Death, or such other Punishment as is herein-after mentioned; *and every Person subject to this Act who shall, otherwise than with a Weapon, attempt to strike, or use or attempt to use any Violence against his superior Officer being in the Execution of his Office, shall be punished with Penal Servitude, or such other Punishment as is herein-after mentioned;* and every Person subject to this Act who shall strike or ~~offer~~ *attempt* to strike *or draw or lift up any Weapon against*, or use *or attempt to use* any Violence against his superior Officer, not being in the Execution of his Office, shall be punished with Penal Servitude, or such other Punishment as is herein-after mentioned.

Insubordination.

Penalty for Disobedience or using threatening Language to superior Officer.

17. Every Person who shall wilfully disobey any lawful Command of his superior Officer, or shall use threatening or insulting Language or behave with Contempt to his superior Officer, shall be punished with Dismissal from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

18. Every

18. Every Person subject to this Act who shall quarrel or fight with any other Person, whether such other Person be or be not subject to this Act, or shall use reproachful or provoking Speeches or Gestures, tending to make any Quarrel or Disturbance, shall suffer Imprisonment or such other Punishment as is herein-after mentioned. Penalty for quarrelling, &c., or using reproachful Speech or Gestures.

Desertion and Absence without Leave.

19. Every Person subject to this Act who shall absent himself from his Ship or from the Place where his Duty requires him to be, without any Intention of returning to such Ship or Place, or who shall at any Time and under any Circumstances when absent from his Ship do any Act which shows that he has not any Intention of returning to such Ship or Place, shall be deemed to have deserted, and shall be punished accordingly; that is to say, Penalty for Desertion.

(1.) If he has deserted to the Enemy he shall be punished with Death or such other Punishment as is herein-after mentioned;

(2.) If he has deserted under any other Circumstances he shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned;

and in every such Case he shall forfeit all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by him, and all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to him, and also all Clothes and Effects which he may have left on board the Ship or at the Place from which he has deserted, unless the Tribunal by which he is tried shall otherwise direct.

20. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act to desert shall suffer Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for inducing any Person to desert.

21. Every Officer in Command of any Ship of Her Majesty who shall receive or entertain any Deserter from Her Majesty's Military or Naval Forces, after discovering him to be a Deserter, and shall not, with all convenient Speed, in the Case of a Deserter from Her Majesty's Naval Forces, give Notice to the Commanding Officer of the Ship to which such Deserter belongs, or, if such Ship is at a Distance, to the Secretary of the Admiralty or to the Commander-in-Chief, or in case of a Deserter from Her Majesty's Military Forces, give Notice to the Secretary of War or the Commanding Officer of the Regiment to which such Deserter belongs, the Officer so offending shall be dismissed from Her Majesty's Penalty for entertaining a Deserter.

Service, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for Absence without Leave.

22. Every Person subject to this Act who shall be absent without Leave shall be liable to Imprisonment for any Period not exceeding Ten Weeks, with or without Hard Labour, or such other Punishment as the Circumstances of the Case may require, and shall also forfeit out of his Wages a Sum not exceeding the Amount of Two Days Pay, exclusive of all Charges of Apprehension, and in addition for every Twenty-five Hours of Absence a Sum not exceeding Six Days Pay; and, *so far only as relates to such Forfeiture of Wages*, any Person may be deemed to be absent without Leave, notwithstanding his Absence may not have been voluntary, but may have been caused by Imprisonment ~~under any Commitment~~ *preceding or consequent on Conviction* for any Offence against the Law.

Miscellaneous Offences.

Penalty for profane Swearing and other Immoralities.

23. Every Person subject to this Act who shall be guilty of any profane Oath, Cursing, Execration, Drunkenness, Uncleanness, or other scandalous Action in derogation of God's Honour and Corruption of good Manners, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Officer for Cruelty or Oppression.

24. Every Officer subject to this Act who shall be guilty of Cruelty, or of any scandalous or fraudulent Conduct, shall be dismissed with Disgrace from Her Majesty's Service; and every Officer subject to this Act, who shall be guilty of any other Conduct unbecoming the Character of an Officer shall be dismissed, with or without Disgrace, from Her Majesty's Service.

Penalty for suffering Ships to be improperly lost.

25. Every Person subject to this Act who shall either designedly or negligently or by any Default lose, strand, or hazard, or suffer to be lost, stranded, or hazarded, any Ship of Her Majesty, or in Her Majesty's Service, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for not taking care of and defending Ships under Convoy.

26. The Officers of all Ships of Her Majesty appointed for the Convoy and Protection of any Ships or Vessels shall diligently perform their Duty without Delay according to their Instructions in that Behalf; and every Officer who shall fail in his Duty in this respect, and shall not defend the Ships and Goods under his Convoy, without Deviation to any other Objects, or shall refuse to fight in their Defence if they are assailed, or shall cowardly abandon and expose the Ships in his Convoy to Hazard, or shall demand

demand or exact any Money or other Reward from any Merchant or Master for convoying any Ships or Vessels intrusted to his Care, or shall misuse the Masters or Mariners thereof, shall make such Reparation in Damages to the Merchants, Owners, and others as the Court of Admiralty may adjudge, and also shall be punished criminally accordingly to the Nature of his Offence, by Death or such other Punishment as is herein-after mentioned.

Master of Merchant Vessel to obey Orders of convoying Officer.

27. Every Master or other Officer in Command of any Merchant or other Vessel under the Convoy of any Ship of Her Majesty shall obey the Commanding Officer thereof in all Matters relating to the Navigation or Security of the Convoy, and shall take such Precautions for avoiding the Enemy as may be directed by such Commanding Officer; and if he shall fail to obey such Directions, such Commanding Officer may compel Obedience by Force of Arms, without being liable for any Loss of Life or of Property that may result from his using such Force.

Penalty for taking any Goods on board other than for the Use of the Vessel, except Gold, Silver, Jewels, &c.

28. Every Officer in Command of any of Her Majesty's Ships who shall receive on board, or permit to be received on board, such Ship any Goods or Merchandises whatsoever, other than for the sole Use of the Ship, except Gold, Silver, or Jewels, and except the Goods and Merchandise belonging to any Merchant, or on board any Ship which may be shipwrecked or in imminent Danger, either on the High Seas or in some Port, Creek, or Harbour, for the Purpose of preserving them for their proper Owners, or except such Goods or Merchandise as he may at any Time be ordered to take or receive on board by Order of the Admiralty, shall be dismissed from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned.

Penalty for embezzling Public Stores.

29. Every Person subject to this Act who shall wastefully expend, embezzle, or fraudulently buy, sell, or receive, any Ammunition, Provisions, or other Public Stores, and every Person subject to this Act who shall knowingly permit any such wasteful Expenditure, Embezzlement, Sale, or Receipt, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for burning any Magazine or Vessel, &c. not belonging to an Enemy.

30. Every Person subject to this Act who shall unlawfully set fire to any Dockyard, Victualling Yard, or Steam Factory Yard, Arsenal, Magazine, Building, Stores, or to any Ship, Vessel, Hoy, Barge, Boat, or other Craft, or Furniture thereunto belonging, not being the Property of an Enemy, Pirate or Rebel, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making or signing false Musters.

31. Every Person subject to this Act who shall knowingly make or sign a false Muster or Record or other official Document, or who shall command, counsel, or procure the making or signing thereof, or who shall aid or abet any other Person in the making or signing thereof, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Misconduct in Hospital.

32. Every Person subject to this Act who shall wilfully do any Act, or wilfully disobey any Orders, whether in Hospital or elsewhere, with Intent to produce or to aggravate any Disease or Infirmity, or to delay his Cure, or who shall feign any Disease, Infirmity, or Inability to perform his Duty, shall suffer Imprisonment, or such other Punishment as is herein-after mentioned.

Penalty for endeavouring to stir up any Disturbance on account of Unwholesomeness of the Victuals or other just Grounds.

33. Every Person subject to this Act who shall have any Cause of Complaint, either of the Unwholesomeness of the Victuals or upon any other just Ground, shall quietly make the same known to his Superior, or Captain, or Commander-in-Chief, and the said Superior, Captain, or Commander-in-Chief shall, as far as he is able, cause the same to be presently remedied; and no Person subject to this Act upon any Pretence whatever shall attempt to stir up any Disturbance, upon Pain of such Punishment as a Court-martial may think fit to inflict, according to the Degree of Offence.

Penalty for Offences against Naval Discipline not particularly mentioned.

34. Every Person subject to this Act who shall be guilty of any Act, Disorder, or Neglect to the Prejudice of good Order and Naval Discipline, not herein-before specified, shall be dismissed from Her Majesty's Service with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Crimes to be punished according to Usage. *See 22 G. 2. c.33.s.2.§36.*

35. *Any Person subject to this Act committing any Offence against this Act, such Offence not being punishable with Death or Penal Servitude, shall, save where this Act expressly otherwise provides, be proceeded against and punished according to the Laws and Customs in such Cases used at Sea.*

Penalty for not sending to the Court of Admiralty all Papers found aboard Prize Ships.

36. All the Papers, Charter-parties, Bills of Lading, Passports, and other Writings whatsoever that shall be taken, seized, or found aboard any Ship or Ships which shall be taken as Prize shall be duly preserved, and the Commanding Officer of the Ship which shall take such Prize shall send the Originals entire and without Fraud to the Court of Admiralty, or such other Court or Commissioners as shall be authorized to determine whether such Prize be lawful Capture, there to be viewed, made use of, and proceeded upon, according

according to Law, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned, and in addition thereto shall forfeit and lose his Share of the Capture.

Penalty for taking Money or other Effects out of any Prize before the same shall be condemned.

37. No Person subject to this Act shall take out of any Prize or Ship seized for Prize any Money, Plate, or Goods, unless it shall be necessary for the better securing thereof, or for the necessary Use and Service of any of Her Majesty's Ships and Vessels of War, before the same be adjudged lawful Prize in some Admiralty Court; but the full and entire Account of the whole without Embezzlement shall be brought in, and Judgment passed entirely upon the whole, without Fraud, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned, and in addition thereto forfeit and lose his Share of the Capture.

Penalty for stripping or ill-using Persons taken on board a Prize.

38. If any Ship or Vessel shall be taken as Prize, none of the Officers, Mariners, or other Persons on board her shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil intreated, upon Pain that the Person or Persons so offending shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Commanders capturing as Prize by Collusion, or collusively restoring Ships or Goods. *See 17 & 18 Vict. c. 18. ss. 41 44.*

39. *If the Commanding Officer of any of Her Majesty's Ships does any of the following Things; namely,—*

(1.) *By Collusion with the Enemy takes as Prize any Vessel, Goods, or Thing;*

(2.) *Unlawfully agrees with any Person for the ransoming of any Vessel, Goods, or Thing taken as Prize; or*

(3.) *In pursuance of any unlawful Agreement for ransoming or otherwise by Collusion actually quits or restores any Vessel, Goods, or Thing taken as Prize:*

He shall be liable to Dismissal from Her Majesty's Service, with Disgrace, or to such other Punishment as is herein-after mentioned.

Penalty for breaking Bulk on board Prize Ship with a View to Embezzlement. *See 17 & 18 Vict. c. 18. s. 45.*

40. *If any Person subject to this Act breaks Bulk on board any Vessel taken as Prize, or detained in the exercise of any Belligerent Right, or under any Act relating to Piracy or to the Slave Trade or to the Customs, with intent to embezzle anything therein or belonging thereto, he shall be liable to Dismissal from Her Majesty's Service, with Disgrace, or to such other Punishment as is herein-after mentioned; and, in addition thereto, to forfeit and lose his Share of the Capture.*

Offences punishable by Ordinary Law.

Penalty for Offences punishable by ordinary Law.

41. Every Person subject to this Act who shall be guilty of Murder shall suffer Death:

If he shall be guilty of Manslaughter he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Sodomy with Man or Beast he shall suffer Penal Servitude:

If he shall be guilty of indecent Assaults he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Robbery or Theft he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of any other Criminal Offence which if committed in England would be punishable by the Law of England, he shall, whether the Offence be or be not committed in England, be punished either in pursuance of the First Part of this Act as an Act to the Prejudice of good Order and Naval Discipline not otherwise specified, or the Offender shall be subject to the same Punishment as might be awarded by any ordinary Criminal Tribunal competent to try the Offender, if the Offence had been committed in England.

Offences, when punishable.

42. For all Offences specified or referred to in this Act, if committed by any Person subject thereto in any Harbour, Haven, or Creek, or on any Lake or River, whether in or out of the United Kingdom or anywhere within the Jurisdiction of the Admiralty, or at any Place on shore out of the United Kingdom of Great Britain and Ireland, or in any of Her Majesty's Dockyards, Victualling Yards, Steam Factory Yards, or on any Gun Wharf, or in any Arsenal, Barrack, or Hospital belonging to Her Majesty, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act, and for all Offences herein-before specified under the Headings "Misconduct in the Presence of the Enemy," "Communications with the Enemy," "Neglect of Duty," "Mutiny," "Insubordination," "Desertion and Absence without Leave," or "Miscellaneous Offences," if committed by any Person subject to this Act at any Place on shore, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act.

PART

PART II.

General Provisions.

Power of Court-martial to find Intent with which Offence committed.

43. Where the Amount of Punishment for any Offence under this Act depends upon the Intent with which it has been committed, and any Prisoner is charged with having committed such Offence with an Intent involving a greater Degree of Punishment, a Court-martial may find that the Offence was committed with an Intent involving a less Degree of Punishment, and award such Punishment accordingly.

Power of Court-martial to find Prisoner guilty of lesser Offence on Charge of greater.

44. Where any Prisoner shall be charged with Murder, a Court-martial may find him guilty of Manslaughter or of a Common Assault; where he shall be charged with Sodomy, a Court-martial may find him guilty of an indecent Assault; where he shall be charged with Theft, a Court-martial may find him guilty of an Attempt to thieve, or of Embezzlement, or of wrongful Appropriation of Property belonging to another; and generally where any Prisoner shall be charged with any Offence under this Act he may, upon Failure of Proof of the Commission of the greater Offence, be found guilty of another Offence of the same Class involving a less Degree of Punishment, but not of any Offence involving a greater Degree of Punishment.

Rebels and Mutineers to be deemed Enemies.

45. All armed Rebels, armed Mutineers and Pirates, shall be deemed to be Enemies within the Meaning of this Act.

Power to arrest Offenders.

46. Every Officer in Command of One of Her Majesty's Ships may, by Warrant under his Hand, authorize any Person to arrest an Offender belonging to such Ship for any Offence against this Act mentioned in such Warrant; and any Person so authorized may use Force, if necessary, for the Purpose of effecting such Apprehension, towards any Person subject to this Act.

Penalty for not assisting in Detection of Prisoners.

47. Every Person subject to this Act who shall not use his utmost Endeavours to detect, apprehend, and bring to Punishment all Offenders against this Act, and shall not assist the Officers appointed for that Purpose, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

PART III.

Regulations as to Punishments.

Punishments.

48. The following Punishments may be inflicted in Her Majesty's Navy:

(1.) Death:

(2.) Penal Servitude:

(3.) Dismissal with Disgrace from Her Majesty's Service:

(4.) Imprisonment or Corporal Punishment:

(5.) Dismissal from Her Majesty's Service:

(6.) Forfeiture of Seniority as an Officer for a specified Time, or otherwise:

(7.) Dismissal from the Ship to which the Offender belongs:

(8.) Severe Reprimand, or Reprimand:

(9.) Disrating a Subordinate or Petty Officer:

(10.) Forfeiture of Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations granted to the Offender, or of any One or more of the above Particulars; also, in the Case of Desertion, of all Clothes and Effects left by the Deserter on board the Ship to which he belongs:

(11.) Such minor Punishments as are now inflicted according to the Custom of the Navy, or may from Time to Time be allowed by the Admiralty:

and each of the above Punishments shall be deemed to be inferior in Degree to every Punishment preceding it in the above Scale.

Regulations as to Punishments.

49. The following Regulations are hereby made with respect to the Infliction of Punishments in Her Majesty's Navy:

(1.) The Admiralty may, except in case of Sentence of Death, which shall only be remitted by Her Majesty, suspend, annul, or modify any Sentence passed on any Person subject to this Act, *or substitute a Punishment inferior in Degree for the Punishment involved in any such Sentence, or remit the whole or any Portion of the Punishment involved in any such Sentence, or remit the whole or any Portion of any Punishment into which the Punishment involved in any such Sentence has been commuted:*

(2.) Judgment of Death shall not be passed on any Prisoner unless Four at least of the Officers present at the Court-martial, where the Number does not exceed Five, and in other Cases a Majority of not less than Two Thirds of the Officers present, concur in the Sentence:

(3.) The

(3.) The Punishment of Death shall not be inflicted on any Prisoner until the Sentence has been confirmed by the Admiralty or by the Commander in Chief on a Foreign Station :

(4.) The Punishment of Penal Servitude may be inflicted for the Term of Life, or for any other Term of not less than Three Years :

(5.) The Punishment of Penal Servitude shall in all Cases involve Dismissal with Disgrace from Her Majesty's Service :

(6.) Dismissal with Disgrace shall involve in all Cases a Forfeiture of all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to the Offender, and an Incapacity to serve Her Majesty again in any Military, Naval, or Civil Service; and may also in all Cases be accompanied by a Sentence of Imprisonment, with or without Solitary Confinement not exceeding the Periods herein-after mentioned, and with or without Hard Labour for all or any Part of the Term of Imprisonment, and with or without Corporal Punishment :

(7.) The Punishment of Imprisonment may be inflicted for any Term not exceeding Two Years; it may be accompanied with a Direction that the Prisoner shall be kept in Solitary Confinement for any Period of such Term not exceeding Fourteen Days at any One Time, and not exceeding Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than the Periods of Solitary Confinement, and when the Imprisonment awarded exceeds Eighty-four Days, the Solitary Confinement shall not exceed Seven Days in any Twenty-eight Days of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods, and the Punishment of Imprisonment may also be accompanied with a Direction that the Prisoner shall be kept to Hard Labour for all or any Part of the Term of Imprisonment, or any such Direction may apply either to Solitary Confinement or Hard Labour only, and Corporal Punishment may be awarded in addition to any Sentence of Imprisonment, whether such Imprisonment is or is not to be accompanied with Solitary Confinement and Hard Labour, or either of them: In any Case of Corporal

Punishment not more than Forty-eight Lashes shall be inflicted:

(8.) No Officer shall be subject to Corporal Punishment: No Petty or Non-commissioned Officer shall be subject to Corporal Punishment, except in case of Mutiny:

All other Punishments authorized by this Act may be inflicted in the Manner heretofore in use in the Navy.

Limitation of Time as to Trials.

50. No Person, unless he be an Offender who has avoided Apprehension or fled from Justice, shall be tried or punished in pursuance of this Act for any Offence committed by him unless such Trial shall take place within Three Years from the Commission of such Offence, or within One Year after the Return of such Offender to the United Kingdom, where he has been absent from the United Kingdom during such Period of Three Years.

Scale of Punishment.

51. Subject to the foregoing Regulations, where any Punishment is specified by this Act as the Penalty for any Offence, and it is further declared that another Punishment may be awarded in respect of the same Offence, the Expression "other Punishment" shall be deemed to comprise any One or more of the Punishments inferior in Degree to the specified Punishment, according to the Scale herein-before mentioned; but Corporal Punishment shall be deemed equal in Degree to Imprisonment, and may in all Cases, subject to the foregoing Regulations, be inflicted as a Substitute for or in addition to Imprisonment.

Authorities having Power to try Offences.

52. Any Offence triable under this Act may be tried and punished by Court-martial; and any Offence triable under this Act, not committed by an Officer (*except in the Cases by this Act expressly provided for*), and not hereby made Capital, may, under such Regulations as the Admiralty may from Time to Time issue, be summarily tried and punished by the Officer in Command of the Ship to which such Offender belongs, subject to the following Restrictions; (that is to say,)

(1.) The Commanding Officer shall not have Power to award the Punishment of Penal Servitude:

(2.) The Commanding Officer shall not have Power to sentence any Man, except a Deserter, or Man absent without Leave, to Imprisonment for a longer Period than Twenty-eight Days, nor to sentence a Deserter to Imprisonment for a longer Period than Three Calendar Months, nor a Man absent without Leave to Imprisonment for a longer Period than Six Weeks, nor to award Solitary Confinement for more

more than Seven Days at a Time with Intervals of not less than Seven Days between each Period of Solitary Confinement:

(3.) Except in case of open Mutiny, no Man shall be sentenced by the Commanding Officer to Corporal Punishment until his Offence has been inquired into by One or more Officers appointed by such Commanding Officer, and his or their Opinion as to the Guilt or Innocence of the Prisoner reported to such Commanding Officer, and the Commanding Officer shall thereupon act as according to his Judgment may seem right.

Authorities empowered to impose certain Punishments.

53. *With respect to the Authorities by whom certain Punishments may be imposed, the following Provisions shall take effect; namely,—*

(1.) *With respect to any subordinate Officer the Punishment of Forfeiture of Time or Seniority may be imposed as follows, namely,—by the Admiralty for any Time not exceeding Twelve Months, by the Commander in Chief on a Foreign Station for any Time not exceeding Six Months, or by the Commanding Officer for any Time not exceeding Three Months:*

(2.) *With respect to any subordinate Officer, the Commander in Chief on a Foreign Station shall have Power to impose the Punishments numbered* (7.), (8.), *and* (9.) *in the Scale herein-before contained.*

PART IV.

Courts-martial.

Constitution of Courts-martial.

Constitution of Courts-martial.

54. The following Regulations are hereby made with respect to Courts-martial:

(1.) A Court-martial shall consist of not less than Five nor more than Nine Officers:

(2.) No Officer shall be qualified to sit as a Member of any Court-martial held in pursuance of this Act unless he be a Flag Officer, Captain, Commander, or Lieutenant of Her Majesty's Navy on Full Pay:

(3.) A Court-martial shall not be held unless at least Three of Her Majesty's Ships, not being Tenders, and ~~not~~ commanded by ~~Officers under the Rank of Lieutenant,~~ *Captains, Commanders, or Lieutenants of Her Majesty's Navy on Full*

Full Pay, are together at the Time when such Court-martial is held :

(4.) No Officer shall sit on a Court-martial who is under Twenty-one Years of Age :

(5.) No Court-martial for the Trial of a Flag Officer shall be duly constituted unless the President is a Flag Officer, and the other Officers composing the Court are of the Rank of Captain, or of higher Rank :

(6.) No Court-martial for the Trial of a Captain in Her Majesty's Navy shall be duly constituted unless the President is a Captain or of higher Rank, and the other Officers composing the Court are Commanders or Officers of higher Rank :

(7.) No Court-martial for the Trial of any Person below the Rank of Captain in Her Majesty's Navy shall be duly constituted, unless the President is a Captain or of higher Rank, nor unless in addition to the President there are Two other Members of the Court of the Rank of Commander or of higher Rank :

(8.) The Prosecutor shall not sit on any Court-martial for the Trial of a Prisoner whom he prosecutes :

(9.) The Admiralty shall have Power to order Courts-martial to be held for the Trial of Offences under this Act, and to grant Commissions to any Officer of Her Majesty's Navy on Full Pay authorizing him to order Courts-martial to be held for the Trial of such Offences :

(10.) An Officer holding a Commission from the Admiralty to order Courts-martial shall not be empowered to do so if there is present at the Place where such Court-martial is to be held any Officer superior in Rank to himself, *on Full Pay and in command of One or more of Her Majesty's Ships or Vessels*, although such last-mentioned Officer may not hold a Commission to order Courts-martial; and in such a Case such last-mentioned Officer may order a Court-martial, although he does not hold any Commission for the Purpose :

(11.) If any Officer holding a Commission from the Admiralty to order Courts-martial, having the Command of a Fleet or Squadron, and being in Foreign Parts, die, be recalled, leave his Station, or be removed from his Command, the Officer upon whom the Command of the Fleet or Squadron devolves, and so from Time to Time the Officer who shall have the Command of the Fleet or Squadron, shall, without any Commission from the Admiralty, have the same Power to order Courts-

Courts-martial as the first-mentioned Officer was invested with:

(12.) If any Officer holding a Commission from the Admiralty to order Courts-martial, and having the Command of any Fleet or Squadron of Her Majesty's Ships in Foreign Parts, shall detach any Part of such Fleet or Squadron, he may, by Commission under his Hand, empower the Commanding Officer of the Squadron or Detachment ordered on such separate Service, and in case of his Death or ceasing so to command the Officer to whom the Command of such separate Squadron or Detachment shall belong, to order Courts-martial during the Time of such separate Service, or until such Authority shall be revoked, or until the Officer commanding the Detachment shall come under the Command of another superior Officer, or shall return to the United Kingdom:

(13.) The Officer ordering a Court-martial shall not sit thereon:

(14.) The President of every Court-martial shall be named by the Authority ordering the same, or by any Officer empowered by such Authority to name the President:

(15.) No Commander or Lieutenant shall be required to sit as a Member of any Court-martial when Four Officers of a higher Rank and junior to the President can be assembled at the Place where the Court-martial is to be holden (*but the Regularity or Validity of any Court-martial or of the Proceedings thereof shall not be affected by any Commander or Lieutenant being required to sit, or sitting, thereon, under any Circumstances*); and when any Commander or Lieutenant sits ~~at~~ *on* any Court-martial the Members of it shall not exceed Five in Number:

(16.) Subject to the foregoing Regulations, whenever a Court-martial shall be held the Officer appointed to preside thereat shall summon all the Officers next in Seniority to himself present at the Place where the Court-martial shall be held to sit thereon, until the Number of Nine, or such Number, not less than Five, as is attainable, is complete; subject to this Proviso, that the Admirals and Captains, being Superintendents of Her Majesty's Dockyards, shall not be summoned to sit on Courts-martial unless specially directed to do so by Orders from the Admiralty.

Proceedings of Courts-martial.

Where Courts-martial to be held.

55. *A Court-martial under this Act shall be held on board One of Her Majesty's Ships or Vessels of War.*

Sittings of Courts-martial.

56. A Court-martial held in pursuance of this Act shall sit from Day to Day, with the Exception of Sundays, until Sentence is given, *unless prevented from so doing by Stress of Weather or unavoidable Accident*, and its Proceedings shall not be delayed by the Absence of any Member, so that not less than Five are present; and no Member shall absent himself unless compelled so to do by Sickness or other just Cause, to be approved of by the other Members of the Court; and if any Member of a Court-martial shall absent himself therefrom, in contravention of this Section, he shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as may be awarded by a Court-martial.

Appointment of officiating Judge Advocate.

57. In the Absence of a Judge Advocate or his Deputy, the Officer who is to be the President of the Court-martial may appoint any Person to officiate as Judge Advocate at the Trial; and the Judge Advocate of any Fleet for the Time being, or his Deputy, or the Person officiating as Judge Advocate, herein-after included under the Term "the Judge Advocate," shall administer an Oath to every Witness appearing at the Trial.

Proceedings at Trial.

58. As soon as the Court is assembled, the Names of the Officers composing the Court shall be read over to the Prisoner, who shall be asked if he objects to being tried by any Member of the Court. If the Prisoner shall object to any Member, the Objection shall be decided by the Court. If the Objection shall be allowed, the Place of the Member objected to shall be filled up by the Officer next in Seniority who is not on the Court-martial, subject to the Regulations herein-before contained.

Oaths to be administered to Members of Courts-martial.

59. Before the Court shall proceed to try the Prisoner, the Judge Advocate shall administer to every Member of the Court the following Oath; that is to say,

'I do swear, That I will duly administer Justice 'according to Law, without Partiality, Favour, or Affection; 'and I do further swear, that I will not on any Account, at any 'Time whatsoever, disclose or discover the Vote or Opinion of 'any particular Member of this Court-martial, unless thereunto 'required in due Course of Law. So help me GOD.'

Oath to be administered to Judge Advocate, &c.

60. As soon as the said Oath shall be administered to the Members of the Court-martial, the President shall administer to the Judge Advocate the following Oath:

'I

'I [illegible] do swear, That I will not upon any Account, at 'any Time whatsoever, disclose or discover the Vote or Opinion 'of any particular Member of the Court-martial, unless thereunto 'required in due Course of Law. So help me GOD.'

Regulation of Practice of Courts-martial by Order in Council.

61. *The Admiralty may from Time to Time frame General Orders for altering and regulating (subject to the Provisions of this Act) the Procedure and Practice of Courts-martial under this Act; and any such General Orders shall have full Effect if and when approved by Her Majesty in Council, on a Report of the Judicial Committee of the Privy Council, but not sooner or otherwise; and every Order in Council made under this Section shall be laid before both Houses of Parliament.*

Summoning Witnesses.

62. Every Person, Civil, Naval, and Military, who may be required to give Evidence before a Court-martial, shall be summoned by the Judge Advocate; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Court, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of Westminster or Dublin, or the Court of Session in Scotland, or of the Courts of Law in the East or West Indies or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who make default in attending on such Courts, or attending refuse to be sworn or make Affirmation, or being sworn or having made Affirmation refuse to give Evidence, or to answer all such Questions as the Court may legally demand of them, or prevaricate in giving their Evidence, shall, upon Certificate thereof under the Hand of the President of such Court-martial, be liable to be attached in the Court of Queen's Bench in London or Dublin, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries, in Scotland, or Courts of Law in the East or West Indies, or in any of Her Majesty's Colonies, Garrisons, or Dominions in Europe or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness after having been duly summoned and subpœnaed had neglected to attend on a Trial in any Proceeding in the Court in which such Complaint is made, or had refused to be sworn, or on being sworn had refused to give Evidence, or to answer all such Questions as the Court may

legally demand, or had prevaricated in giving Evidence, or if the Court-martial shall think fit, in case any such Person belong to Her Majesty's Navy, being called upon to give Evidence at any Court-martial, shall refuse or neglect to attend to give his Evidence upon Oath or Affirmation, or shall prevaricate in his Evidence, or behave with Contempt to the Court, such Court-martial may punish every such Offender by Imprisonment not longer than Three Months, in case of such Refusal, Neglect, or Prevarication, nor longer than One Month in the Case of such Contempt; and every Person not subject to this Act who may be so summoned to attend shall be allowed and paid his reasonable Expenses, under the Authority of the Admiralty, for such Attendance.

Penalty on Persons giving false Evidence.

63. Every Person who, upon any Examination upon Oath or upon Affirmation, before any Court-martial held in pursuance of this Act, shall wilfully and corruptly give false Evidence, shall be ~~liable to the Penalties~~ *deemed guilty* of wilful and corrupt Perjury; *and every such Offence, wheresoever committed, shall be triable and punishable in England, and where any such Offence committed out of England is tried in England, all Statutes and Laws applicable to Cases of Perjury shall apply to the Case.*

Where Persons are insane at the Time of Offence or Trial.

64. Where it shall appear upon the Trial by Court-martial of any Person charged with an Offence that such Person is insane, the Court shall find specially the Fact of his Insanity, and shall order such Person to be kept in strict Custody in such Place and in such Manner as the Court shall deem fit, until the Directions of the Admiralty thereupon are known; and it shall be lawful for the Lords of the Admiralty to give Orders for the safe Custody of such Person during Her Majesty's Pleasure, in such Place and in such Manner as they shall think fit.

Report of Proceedings of Courts-martial.

65. Every Judge Advocate, or Person officiating as Judge Advocate, shall transmit with as much Expedition as may be the original Proceedings, *or a complete and authenticated Copy thereof*, and *the original* Sentence of every Court-martial attended by him to the Commander-in-Chief or senior Officer, who shall transmit them to the Secretary of the Admiralty for the Time being, and any Person tried by a Court-martial shall be entitled, on Demand, to a Copy of such Proceedings and Sentence, at any Time not sooner than Six Months after the Trial if the same takes place in the Mediterranean, Three Months if at any other Naval Station within Europe, and Twelve Months if elsewhere, (upon Payment for the same at the Rate of Fourpence per Folio of Seventy-two Words,) but no such Demand shall be allowed after the Space of Three Years from the Date of the final Decision of such Court.

PART V.

PART V.

Penal Servitude and Prisons.

Penal Servitude.

Sentence of Penal Servitude.

66. Whenever any Sentence of Death shall be commuted for Penal Servitude, or whenever Sentence of Penal Servitude shall be passed upon any Offender by any Court-martial, and such Sentence, or any Part thereof, is intended to be carried into effect, the Admiralty shall cause the same to be notified in Writing to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender, upon the Terms and for the Time specified in such Notification, and shall do all such other Acts consequent upon such Notification as any such Justice or Baron is or may be authorized to make or do by any Statute or Statutes in force at the Time of making any such Order in relation to Penal Servitude of Offenders sentenced by Courts of Criminal Jurisdiction to Penal Servitude; and such Order and other Acts to be so made and done as aforesaid shall be obeyed and executed by such Person in whose Custody such Offender may at that Time be, and by all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of any Statute relating to Penal Servitude with respect to any Offender in such Statute mentioned, and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, and be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as they would be if the same had been made under the Authority of any such Statute; and every Person so ordered to be kept in Penal Servitude shall be subject to all the Penalties and Provisions made by Law, and in force for the Time being, concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude is made, every Law in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge or Baron who makes an Order for Penal Servitude as aforesaid shall direct the Notification of the Admiralty, and his own

Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench, and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or the Admiralty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made, and such Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Disposal of Offender after Sentence of Penal Servitude.

67. When any Sentence of Death shall have been commuted for Penal Servitude, or when any Person subject to this Act shall have been condemned to Penal Servitude, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or the Commanding Officer of the Ship to which such Person belongs or has belonged, to cause him to be detained and conveyed to any One of Her Majesty's Ships, or any Gaol or Prison, there to remain in safe Custody until he is removed therefrom by the Order of the Admiralty or any such Commander-in-Chief or other due Authority, or under an Order for his Penal Servitude, to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid, and a Certificate of his Sentence (such Certificate to be signed by the Secretary of the Admiralty, or by any such Commander-in-Chief, or such Commanding Officer) shall be a sufficient Authority to the Commanding Officer of the Ship to which he may be sent, or to the Governor, Keeper, or Superintendent of the Gaol or Prison, to receive and detain him.

Subsistence of Offender.

68. In case any such Offender shall be conveyed to any Prison, not being a Naval Prison appointed by virtue of this Act, an Allowance such as the Admiralty shall from Time to Time direct shall be made to the Governor, Keeper, or Superintendent of the Gaol or Prison, for the Subsistence of such Offender during his Detention therein, and such Allowance shall be paid by Order of the Admiralty, upon Production by the said Governor, Keeper, or Superintendent of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender has been so detained and subsisted in such Gaol or Prison.

69. When-

69. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, passed upon him by a Court-martial for a former Offence, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he has been previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude may exceed the Term for which either of those Punishments could be otherwise awarded.

Imprisonment of Offender already under Sentence for previous Offence.

Prisons.

70. Every Term of Penal Servitude or of Imprisonment in pursuance of this Act shall be reckoned as commencing on the Day on which the Sentence was awarded, and the Place of Imprisonment, whether the Imprisonment was awarded as an original or as a commuted Punishment, shall be such Place as may be appointed by the Court or the Commanding Officer awarding the Punishment, or which may from Time to Time be appointed by the Admiralty, or by the Commander-in-Chief *or Senior Officer present* on any Foreign Station, and may be One of the Naval Prisons appointed under this Act, or any Common Gaol, House of Correction, or Military Prison within Her Majesty's Dominions.

Term and Place of Imprisonment.

71. Whenever it is deemed expedient it shall be be lawful for the Admiralty or any such Commander-in-Chief, by any Order in Writing from Time to Time to change the Place of Confinement of any Offender imprisoned or sentenced to be imprisoned or detained in pursuance of this Act, and the Gaoler or other Person having the Custody of such Offender shall immediately on the Receipt of such Order remove such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order, or shall deliver him over to Naval Custody for the Purpose of the Offender being removed to such Prison; and every Gaoler or Keeper of such last-mentioned Prison, Gaol, or House of Correction shall, upon being furnished with a Copy of such Order of Removal, attested by the Secretary of the Admiralty for the Time being, receive into his Custody and shall confine pursuant to such Sentence or Order every such Offender.

Place of Imprisonment may be changed, &c.

72. The Gaoler or other Person removing any Offender in pursuance of such Order shall be allowed for the Charges of such Removal a Sum not exceeding One Shilling a Mile, and when any Offender is not confined in a Naval Prison the Gaoler or other Person in whose Custody any such Offender may be shall receive such

Expenses of Removal or Subsistence of Prisoners.

such an Allowance as the Admiralty shall from Time to Time direct for every Day that such Offender is in his Custody, to be applied towards his Subsistence, and such Sum shall be paid to the said Gaoler or other Person under the Authority of the Admiralty, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol, Prison, or House of Correction shall be situate, with a Copy of the Sentence or Order under which the Prisoner is confined.

Proviso for Discharge or Removal of Prisoners.

73. Whenever any Prisoner is undergoing Imprisonment in pursuance of this Act, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or where an Offender has been imprisoned by Order of his Commanding Officer, for such Commanding Officer, or the Admiralty, or any such Commander-in-Chief, to give an Order in Writing directing that the Prisoner be discharged; and it shall also be lawful for the Admiralty or any such Commander-in-Chief, and any Officer commanding any of Her Majesty's Ships, by Order in Writing, to direct that any such Prisoner be delivered over to Naval Custody for the Purpose of being brought before a Court-martial, either as a Witness, or for Trial or otherwise, and such Prisoner shall accordingly, on the Production of any such Order, be discharged, or be delivered over to such Custody.

Proviso as to Time of Detention in Naval Custody.

74. The Time during which any Prisoner under Sentence of Imprisonment is detained in Naval Custody shall be reckoned as Imprisonment under his Sentence, for whatever Purpose such Detention takes place; and the Governor, Gaoler, Keeper, or Superintendent who shall deliver over any such Prisoner shall again receive him from Naval Custody, so that he may undergo the Remainder of his Punishment.

In case of Insanity Prisoners to be removed to some Lunatic Asylum.

75. If any Person imprisoned by virtue of this Act shall become insane, and a Certificate to that Effect shall be given by Two Physicians or Surgeons, the Admiralty shall, by Warrant, direct the Removal of such Person to such Lunatic Asylum or other proper Receptacle for insane Persons in the United Kingdom as they may judge proper, for the unexpired Term of his Imprisonment; and if any such Person shall in the same Manner be certified to be again of sound Mind, the Admiralty may issue a Warrant for his being removed to such Prison or Place of Confinement as may be deemed expedient, to undergo the Remainder of his Punishment, and every Gaoler or Keeper of any Prison, Gaol, or House of Correction shall receive him accordingly.

76. The

Admiralty may set apart Buildings and Ships as Naval Prisons.

76. The Admiralty may set apart any Buildings or Vessels, or any Parts thereof, as Naval Prisons, and any Buildings or Vessels, or Parts of Buildings or Vessels, so set apart, shall be deemed to be Naval Prisons withing the Meaning of this Act, and all Powers and Authorities with respect to County Gaols or Houses of Correction, which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State, shall, with respect to all such Naval Prisons, belong to the Admiralty; and it shall be lawful for the Admiralty from Time to Time to make, alter, and repeal Regulations for the Government and Superintendence of any such Naval Prison, and of the Officers and Servants thereof, and of Offenders confined therein, and from Time to Time to appoint Inspectors and all other necessary Officers and Servants for any such Naval Prison, and, as Occasion may arise, to remove the Inspectors, Officers, or Servants of any such Naval Prison; and the senior Officer at any Port or Place or on any Station where there may be any such Naval Prison, or such senior Officer and such other Person and Persons as the Admiralty may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and every Inspector, Visitor, or Officer, having the Charge or Command of any such Naval Prison respectively, shall, subject to such Rules and Regulations as may from Time to Time be made as aforesaid, have and exercise, in respect of such Prison, and of the Officers and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths, as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

77. If any Person shall convey or cause to be conveyed into any such Naval Prison any Arms, Tools, or Instruments, or any Mask or other Disguise to facilitate the Escape of any Prisoner, or by any Means whatever shall aid any Prisoner to escape or in an Attempt to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years, or suffer Penal Servitude for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds; and if any Person shall bring into such Prison, or to or for any Prisoner, without the Knowledge of the Officer having Charge or Command thereof, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other

Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or by Desire of any Prisoner, without the Sanction of the said Officer, shall carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall interrupt any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person to assault, resist, or interrupt any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or if the Offender be a Prisoner he shall, upon Conviction thereof before Two Justices of the Peace, or not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, and with or without Solitary Confinement, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may be then unexpired, and every Penalty which may be incurred under this Section shall be recoverable in a summary Manner; and such Two Justices or Three Visitors are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Penalty as regards Gaolers, &c.

78. Every Governor, Gaoler, and Keeper of any Prison, Gaol, or House of Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment, who shall, without lawful Excuse, refuse or neglect to receive or confine, remove, discharge, or deliver up any Offender against the Provisions of this Act or any of them, shall incur for every such Refusal or Neglect a Penalty not exceeding One hundred Pounds, to be recovered in a summary Manner before Two Justices of the Peace; and such Two Justices are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Pay to be stopped during Imprisonment, &c.

79. During the Imprisonment of any Person in pursuance of this Act all Pay and Wages of the Prisoner shall be suspended and stopped.

PART

PART VI.

Supplemental Provisions.

Short Title.

80. This Act may be cited for all Purposes as The Naval Discipline Act, 1864.

Commencement of Act.

81. This Act shall be in force within the United Kingdom, and as regards the United Kingdom The Naval Discipline Act, 1861, shall be repealed from and after One Calendar Month from the passing hereof; and as regards elsewhere, this Act shall be in force, and The Naval Discipline Act, 1861, shall be repealed, from and after ~~Four~~ *Six* Calendar Months from the passing hereof.

Definition of Terms.

82. In the Construction of this Act, unless there be something in the Context or Subject Matter repugnant to or inconsistent with such Construction—

"Admiralty," or "the Lords of the Admiralty," shall mean the Lord High Admiral for the Time being of the United Kingdom of Great Britain and Ireland, and when there shall be no such Lord High Admiral in Office, any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom:

"Officer" shall mean an Officer belonging to One of Her Majesty's Ships, and shall include a subordinate and a Warrant Officer, but shall not extend to Petty and Non-commissioned Officers:

When the Words "Superior Officer" are used in this Act they shall be held to include all Officers, including Petty and Non-commissioned Officers.

Persons subject to this Act.

83. Every Person in or belonging to Her Majesty's Navy, and borne on the Books of any One of Her Majesty's Ships in Commission, shall be subject to this Act; and all other Persons hereby made liable thereto, and all Spies, shall be triable and punishable under the Provisions of this Act.

Land Forces embarked as Passengers.

84. Her Majesty's Land Forces, when embarked on board any of Her Majesty's Ships, shall be subject to the Provisions of this Act, to such Extent and under such Regulations as Her Majesty, Her Heirs and Successors, by any Order or Orders in Council, shall at any Time or Times direct.

Other Persons embarked as Passengers.

85. All other Persons ordered to be received or being Passengers on board any of Her Majesty's Ships shall be deemed to be Persons subject to this Act, under such Regulations as the Admiralty may from Time to Time direct.

Provisions respecting Discipline in hired Ships in Her Majesty's Service in War. *See 17 & 18 Vict. c. 18. s. 47.*

86. *With respect to hired Vessels in Her Majesty's Service in Time of War, being either armed or under the Command of an Officer in Her Majesty's Naval Service, the following Provisions shall take effect, if in any Case the Admiralty think fit so to direct:*

(1.) *Every Person borne on the Books of any such hired Vessel shall be subject to this Act:*

(2.) *Any Offence committed by any such Person shall be tried and punished as the like Offence might be tried and punished if committed by any Person in or belonging to Her Majesty's Navy, and borne on the Books of any of Her Majesty's Ships in Commission:*

(3.) *Every such Offender who is to be tried by Court-martial shall be placed under all necessary Restraint until he can be tried by Court-martial:*

(4.) *On Application made to the Lords of the Admiralty, or of the Commander-in-Chief, or Senior Officer of any of Her Majesty's Ships or Vessels of War abroad, authorized to assemble and hold Courts-martial, the Lords of the Admiralty, Commander-in-Chief, or Senior Officer (as the Case may be) shall assemble and hold a Court-martial for the Trial of the Offender:*

(5.) *The Officer commanding every such hired Vessel shall have the same Power in respect of all other Persons borne on the Books thereof, or for the Time being on board the same, as the Officer commanding One of Her Majesty's Ships has for the Time being in respect of the Officers and Crew thereof or other Persons on board the same:*

(6.) *The Naval Commander-in-Chief and Senior Naval Officer in Her Majesty's Service shall have the same Powers over the Officers and Crew of every such hired Vessel as they have for the Time being over the Officers and Crew of any of Her Majesty's Ships.*

Crews of Ships lost or destroyed.

87. When any One of Her Majesty's Ships shall be wrecked or lost or destroyed, or taken by the Enemy, such Ship shall, for the Purposes of this Act, be deemed to remain in Commission until her Crew shall be regularly removed into some other of Her Majesty's Ships of War, or until a Court-martial shall have been held, pursuant to the Custom of the Navy in such Cases, to inquire into the Cause of the Wreck, Loss, Destruction, or Capture of the said Ship.

All the Officers and Crew of lost

88. When no specific Charge shall be made against any Officer or Seaman *or other Person in the Fleet* for or in respect or in consequence

quence of such Wreck, Loss, Destruction, or Capture, it shall be lawful to try all the Officers and Crew or all the surviving Officers and Crew of any such Ship, together, before One and the same Court, and to call upon all or any of them when upon their Trial to give Evidence on Oath or Affirmation before the Court touching any of the Matters then under Inquiry, but no Officer or Seaman *or other Person* shall be obliged to give any Evidence which may tend to criminate himself. Ship may be tried by One Court;

89. When deemed necessary by the Admiralty, or any Officer authorized to order Courts-martial, separate Courts-martial shall be held for the Trial of some One or more of such Officers and Crew for or in respect or in consequence of the Wreck, Loss, Destruction, or Capture of any such Ship. or by separate Courts.

90. For any Offence or Offences committed by any Officer or Seaman, or Officers and Seamen, after the Wreck, Loss, Destruction, or Capture of any such Ship, a separate Court-martial shall be held for the Trial of such Offender or Offenders. For subsequent Offence, separate Court.

91. When any Ship of Her Majesty shall be wrecked, lost, or otherwise destroyed, or taken by the Enemy, if it shall appear by the Sentence of a Court-martial that the Crews of such Ship did, in the Case of a Ship wrecked or lost, do their utmost to save her or get her off, and in the Case of a Ship taken by the Enemy, did their utmost to defend themselves, and that they have, since the Wreck, Destruction, Loss, or Capture of such Ship, behaved themselves well, and been obedient to their Officers, then all the Pay of such Crews or of such Portions of such Crews as have behaved themselves well, and been obedient to their Officers, shall be continued until the Time of their being discharged or removed into other Ships of Her Majesty, or dying. Pay of Crews of Ships lost or taken.

92. If the Ship of any Officer ordered to command any Two or more of Her Majesty's Ships shall be wrecked, lost, or otherwise destroyed, such Officer shall continue in the Command of any Ship or Ships which at the time of his Ship being wrecked, lost, or destroyed was or were under his Command, and it shall be lawful for such Officer to order the surviving Officers and Crew of the wrecked, lost, or destroyed Ship to join any other Ship under his Command, or to distribute them among the other Ships under his Command, if more than One, and such Officer shall, until he meets with some other Officer senior to himself, have the same Power and Authority in all respect as if his Ship had not been wrecked, lost, or destroyed. When Ship of senior Officer is lost he may dispose of Officers and Crew of lost Ship.

PART VII.

Saving Clause.

Trial of Offences against repealed Acts.

93. Any Person who has committed or may commit, before this Act comes into force, any Offence against The Naval Discipline Act, 1861, or the Act thereby repealed, for which such Person has not been tried before this Act comes into force, shall be tried and punished under this Act as if such Crime or Offence had been committed against the same, but he shall not suffer any greater Punishment than he was liable to under The Naval Discipline Act, 1861, or the Act thereby repealed; and any Proceeding of any Court-martial, or any other Proceedings under The Naval Discipline Act, 1861, which may be pending when this Act comes into force, shall be continued, and the Offender, if found guilty, shall be punished as if the Act against which he offended had not been repealed.

Saving for Prerogative and for Powers of Admiralty.

94. Nothing in this Act shall ~~prejudice or affect the~~ *take away, abridge, or control, further or otherwise than as expressly provided by this Act, any Right, Power, or Prerogative of Her Majesty the Queen, in right of Her Crown, or in right of Her Office of Admiralty, or any* Right *or Power* of the Admiralty ~~to discharge any Person subject to this Act from Her Majesty's Service~~

Act not to supersede Authority of ordinary Courts.

95. Nothing in this Act contained shall be deemed or taken to supersede or affect the Authority or Power of any Court or Tribunal of ordinary Civil or Criminal Jurisdiction, or any Officer thereof, in Her Majesty's Dominions, in respect of any Offence mentioned in this Act which may be punishable or cognizable by the Common or Statute Law.

Naval Discipline.

A

B I L L

INTITULED

An Act to make Provision for the Discipline of the Navy.

(*Brought from the Lords*, 22 *July* 1864.)

Ordered, by The House of Commons, *to be Printed*, 22 *July* 1864.

[Bill 233.]

Under 4 *oz.*

Naval Prize Bill.

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A

BILL

FOR

Regulating Naval Prize of War.

WHEREAS it is expedient to enact permanently, with Amendments, such Provisions concerning Naval Prize, and Matters connected therewith, as have heretofore been usually passed at the Beginning of a War: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Preliminary.

1. This Act may be cited as The Naval Prize Act, 1864. Short Title.

2. In this Act— Interpretation.

The Term "the Lords of the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral:

The Term "the High Court of Admiralty" means the High Court of Admiralty of England:

The Term "any of Her Majesty's Ships of War" includes any of Her Majesty's Vessels of War, and any hired armed Ship or Vessel in Her Majesty's Service:

The Term "Officers and Crew" includes Flag Officers, Commanders, and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships of War:

The Term "Ship" includes Vessel and Boat, with the Tackle, Furniture, and Apparel of the Ship, Vessel, or Boat:

The Term "Ship Papers" includes all Books, Passes, Sea Briefs, Charter Parties, Bills of Lading, Cockets, Letters, and other Documents and Writings delivered up or found on board a captured Ship:

The Term "Goods" includes all such Things as are by the Course of Admiralty and Law of Nations the Subject of Adjudication as Prize (other than Ships).

I.—Prize Courts.

High Court of Admiralty and other Courts to be Prize Courts for Purposes of Act.

3. The High Court of Admiralty, and every Court of Admiralty or of Vice-Admiralty, or other Court exercising Admiralty Jurisdiction in Her Majesty's Dominions, for the Time being authorized to take cognizance of and judicially proceed in Matters of Prize, shall be a Prize Court within the Meaning of this Act.

Every such Court, other than the High Court of Admiralty, is comprised in the Term "Vice-Admiralty Prize Court," when hereinafter used.

High Court of Admiralty.

Jurisdiction of High Court of Admiralty.

4. The High Court of Admiralty shall have Jurisdiction throughout Her Majesty's Dominions as a Prize Court.

The High Court of Admiralty as a Prize Court shall have Power to enforce any Order or Decree of a Vice-Admiralty Prize Court, and any Order or Decree of the Judicial Committee of the Privy Council in a Prize Appeal.

Appeal; Judicial Committee.

Appeal to Queen in Council, in what Cases.

5. An Appeal shall lie to Her Majesty in Council from any Order or Decree of a Prize Court, as of Right in case of a Final Decree, and in other Cases with the Leave of the Court making the Order or Decree.

Every Appeal shall be made in such Manner and Form and subject to such Regulations (including Regulations as to Fees, Costs, Charges, and Expenses) as may for the Time being be directed by Order in Council, and in the Absence of any such Order, or so far as any such Order may not extend, then in such Manner and

Form

Form and subject to such Regulations as may for the Time being be prescribed or in force respecting Maritime Causes of Appeal.

Jurisdiction of Judicial Committee in Prize Appeals.

6. The Judicial Committee of the Privy Council shall have Jurisdiction to hear and report on any such Appeal, and may therein exercise all such Powers as for the Time being appertain to them in respect of Appeals from any Court of Admiralty Jurisdiction, and all such Powers as are under this Act vested in the High Court of Admiralty, and all such Powers as were wont to be exercised by the Commissioners of Appeal in Prize Causes.

Custody of Processes, Papers, &c.

7. All Processes and Documents required for the Purposes of any such Appeal shall be transmitted to and shall remain in the Custody of the Registrar of Her Majesty in Prize Appeals.

Limit of Time for Appeal.

8. In every such Appeal the usual Inhibition shall be extracted from the Registry of Her Majesty in Prize Appeals within *Three Months* after the Date of the Order or Decree appealed from if the Appeal be from the High Court of Admiralty, and within *Six Months* after that Date if it be from a Vice-Admiralty Prize Court.

The Judicial Committee may, nevertheless, on sufficient Cause shown, allow the Inhibition to be extracted and the Appeal to be prosecuted after the Expiration of the respective Periods aforesaid.

Vice-Admiralty Prize Courts.

Enforcement by Vice-Admiralty Courts of Orders of High Court, &c.

9. Every Vice-Admiralty Prize Court shall have Power to enforce within its Jurisdiction all Orders and Decrees of the Judicial Committee in Prize Appeals and of the High Court of Admiralty in Prize Causes.

Salaries of Judges of Vice-Admiralty Prize Courts.

10. Her Majesty in Council may grant to the Judge of any Vice-Admiralty Prize Court a Salary not exceeding *Five hundred Pounds* a Year, payable out of Money provided by Parliament, subject to such Regulations as may seem meet.

A Judge to whom a Salary is so granted shall not be entitled to any further Emolument, arising from Fees or otherwise, in respect of Prize Business transacted in his Court.

An Account of all such Fees shall be kept by the Registrar of the Court, and the Amount thereof shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Retiring Pensions of Judges. 22 Vict. c. 26.

11. In accordance, as far as Circumstances admit, with the Principles and Regulations laid down in The Superannuation Act, 1859, Her Majesty in Council may grant to the Judge of any Vice-Admiralty Prize Court an annual or other Allowance, to take

effect on the Termination of his Service, and to be payable out of Money provided by Parliament.

Returns from Vice-Admiralty Prize Courts.

12. The Registrar of every Vice-Admiralty Prize Court shall, on the *First Day of January* and *First Day of July* in every Year, make out a Return (in such Form as the Lords of the Admiralty from Time to Time direct) of all Cases adjudged in the Court since the last half-yearly Return, and shall with all convenient Speed send the same to the Registrar of the High Court of Admiralty, who shall keep the same in the Registry of that Court, and who shall, as soon as conveniently may be, send a Copy of the Returns of each Half Year to the Lords of the Admiralty, who shall lay the same before both Houses of Parliament.

General.

General Orders for Prize Courts.

13. The Judicial Committee of the Privy Council, with the Judge of the High Court of Admiralty, may from Time to Time frame General Orders for regulating (subject to the Provisions of this Act) the Procedure and Practice of Prize Courts, and the Duties and Conduct of the Officers thereof and of the Practitioners therein, and for regulating the Fees to be taken by the Officers of the Courts, and the Costs, Charges, and Expenses to be allowed to the Practitioners therein.

Any such General Orders shall have full Effect, if and when approved by Her Majesty in Council, but not sooner or otherwise.

Every Order in Council made under this Section shall be laid before both Houses of Parliament.

Every such Order in Council shall be kept exhibited in a conspicuous Place in each Court to which it relates.

Prohibition of Officer of Prize Court acting as Proctor, &c.

14. It shall not be lawful for any Registrar, Marshal, or other Officer of any Prize Court, or for the Registrar of Her Majesty in Prize Appeals, directly or indirectly to act or be in any Manner concerned as Advocate, Proctor, Solicitor, or Agent, or otherwise, in any Prize Cause or Appeal, on pain of Dismissal or Suspension from Office, by Order of the Court or of the Judicial Committee (as the Case may require).

Prohibition of Proctors being concerned for adverse Parties in a Cause.

15. It shall not be lawful for any Proctor or Solicitor, or Person practising as a Proctor or Solicitor, being employed by a Party in a Prize Cause or Appeal, to be employed or concerned, by himself or his Partner, or by any other Person, directly or indirectly, by or on behalf of any adverse Party in that Cause or Appeal, on pain of Exclusion

Exclusion or Suspension from Practice in Prize Matters, by Order of the Court or of the Judicial Committee (as the Case may require).

II.—Procedure in Prize Causes.

Proceedings by Captors.

Custody of Prize Ship.

16. Every Ship taken as Prize, and brought into Port within the Jurisdiction of a Prize Court, shall forthwith, and without Bulk broken, be delivered up to the Marshal of the Court.

If there is no such Marshal, then the Ship shall be in like Manner delivered up to the principal Officer of Customs at the Port.

The Ship shall remain in the Custody of the Marshal, or of such Officer, subject to the Orders of the Court.

Bringing in of Ship Papers.

17. The Captors shall, with all practicable Speed after the Ship is brought into Port, bring the Ship Papers into the Registry of the Court.

The Officer in Command, or One of the Chief Officers of the capturing Ship, or some other Person who was present at the Capture, and saw the Ship Papers delivered up or found on board, shall make Oath that they are brought in as they were taken, without Fraud, Addition, Subduction, or Alteration, or else shall account on Oath to the Satisfaction of the Court for the Absence or altered Condition of the Ship Papers or any of them.

Where no Ship Papers are delivered up or found on board the captured Ship, the Officer in Command, or One of the Chief Officers of the capturing Ship, or some other Person who was present at the Capture, shall make Oath to that Effect.

Issue of Monition.

18. As soon as the Affidavit as to Ship Papers is filed, a Monition shall issue, returnable within *Twenty* Days from the Service thereof, citing all Persons in general to show Cause why the captured Ship should not be condemned.

Examinations on Standing Interrogatories.

19. The Captors shall, with all practicable Speed after the captured Ship is brought into Port, bring Three or Four of the principal Persons belonging to the captured Ship before the Judge of the Court or some Person authorized in this Behalf, by whom they shall be examined on Oath on the Standing Interrogatories.

The Preparatory Examinations on the Standing Interrogatories shall, if possible, be concluded within *Five* Days from the Commencement thereof.

 20. After

Adjudication by Court.

20. After the Return of the Monition, the Court shall, on Production of the Preparatory Examinations and Ship Papers, proceed with all convenient Speed either to condemn or to release the captured Ship.

Further Proof.

21. Where, on Production of the Preparatory Examinations and Ship Papers, it appears to the Court doubtful whether the captured Ship is good Prize or not, the Court may direct further Proof to be adduced, either by Affidavit or by Examination of Witnesses, with or without Pleadings, or by Production of further Documents; and on such further Proof being adduced the Court shall with all convenient Speed proceed to Adjudication.

Custody, &c. of Ships of War.

22. The foregoing Provisions, as far as they relate to the Custody of the Ship, and to Examination on the Standing Interrogatories, shall not apply to Ships of War taken as Prize.

Claim.

Entry of Claim; Security for Costs.

23. At any Time before Final Decree made in the Cause, any Person claiming an Interest in the Ship may enter in the Registry of the Court a Claim, verified on Oath.

Within *Five Days* after entering the Claim, the Claimant shall give Security for Costs in the Sum of *Sixty* Pounds; but the Court shall have Power to enlarge the Time for giving Security, or to direct Security to be given in a larger Sum, if the Circumstances appear to require it.

Appraisement.

Power for Court to direct Appraisement.

24. The Court may, if it thinks fit, at any Time direct that the captured Ship be appraised.

Every Appraisement shall be made by competent Persons sworn to make the same according to the best of their Skill and Knowledge.

Delivery on Bail.

Power for Court to direct Delivery to Claimant on Bail.

25. After Appraisement, the Court may, if it thinks fit, direct that the captured Ship be delivered up to the Claimant, on his giving Security to the Satisfaction of the Court to pay to the Captors the appraised Value thereof in case of Condemnation.

Sale.

Power for Court to order Sale.

26. The Court may at any Time, if it thinks fit, on account of the Condition of the captured Ship, or on the Application of a Claimant, order that the captured Ship be appraised as aforesaid (if not already appraised), and be sold.

27. On

27. On or after Condemnation the Court may, if it thinks fit, order that the Ship be appraised as aforesaid (if not already appraised), and be sold. Sale on Condemnation.

28. Every Sale shall be made by or under the Superintendence of the Marshal of the Court or of the Officer having the Custody of the captured Ship. How Sales to be made.

29. The Proceeds of any Sale, made either before or after Condemnation, and after Condemnation the appraised Value of the captured Ship, in case she has been delivered up to a Claimant on Bail, shall be paid under an Order of the Court either into the Bank of England to the Credit of Her Majesty's Paymaster General, or into the Hands of an Official Accountant (belonging to the Commissariat or some other Department) appointed for this Purpose by the Commissioners of Her Majesty's Treasury or by the Lords of the Admiralty, subject in either Case to such Regulations as may from Time to Time be made, by Order in Council, as to the Custody and Disposal of Money so paid. Payment of Proceeds to Paymaster General or Official Accountant.

Small armed Ships.

30. The Captors may include in One Adjudication any Number, not exceeding *Six*, of armed Ships not exceeding *One hundred* Tons each, taken within *Three Months* next before Institution of Proceedings. One Adjudication as to several small Ships.

Goods.

31. The foregoing Provisions relating to Ships shall extend and apply, mutatis mutandis, to Goods taken as Prize on board Ship; and the Court may direct such Goods to be unladen, inventoried, and warehoused. Application of foregoing Provisions to Prize Goods.

Monition to Captors to proceed.

32. If the Captors fail to institute or to prosecute with Effect Proceedings for Adjudication, a Monition shall, on the Application of a Claimant, issue against the Captors, returnable within *Six* Days from the Service thereof, citing them to appear and proceed to Adjudication; and on the Return thereof the Court shall either forthwith proceed to Adjudication or direct further Proof to be adduced as aforesaid, and then proceed to Adjudication. Power for Court to call on Captors to proceed to Adjudication.

Claim on Appeal.

33. Where any Person, not an original Party in the Cause, intervenes on Appeal, he shall enter a Claim, verified on Oath, and shall give Security for Costs. Person intervening on Appeal to enter Claim.

III.—Special Cases of Capture.

Land Expeditions.

Jurisdiction of Prize Court in case of Capture in Land Expedition.

34. Where, in an Expedition of any of Her Majesty's Naval or Naval and Military Forces against a Fortress or Possession on Land, Goods belonging to the State of the Enemy or to a Public Trading Company of the Enemy exercising Powers of Government are taken in the Fortress or Possession, or a Ship is taken in Waters defended by or belonging to the Fortress or Possession, a Prize Court shall have Jurisdiction as to the Goods or Ship so taken, and any Goods taken on board the Ship, as in case of Prize.

Conjunct Capture with Ally.

Jurisdiction of Prize Court in case of Expedition with Ally.

35. Where any Ship or Goods is or are taken by any of Her Majesty's Naval or Naval and Military Forces while acting in conjunction with any Forces of any of Her Majesty's Allies, a Prize Court shall have Jurisdiction as to the same as in case of Prize, and shall have Power, after Condemnation, to apportion the due Share of the Proceeds to Her Majesty's Ally, the proportionate Amount and the Disposition of which Share shall be such as may from Time to Time be agreed between Her Majesty and Her Majesty's Ally.

Joint Capture.

Restriction on Petitions by asserted joint Captors.

36. Before Condemnation, a Petition on behalf of asserted joint Captors shall not (except by special Leave of the Court) be admitted, unless and until they give Security to the Satisfaction of the Court to contribute to the actual Captors a just Proportion of any Costs, Charges, or Expenses or Damages that may be incurred by or awarded against the actual Captors on account of the Capture and Detention of the Prize.

After Condemnation, such a Petition shall not (except by special Leave of the Court) be admitted unless and until the asserted joint Captors pay to the actual Captors a just Proportion of the Costs, Charges, and Expenses incurred by the actual Captors in the Case, and give such Security as aforesaid, and show sufficient Cause to the Court why their Petition was not presented before Condemnation.

Provided, that nothing in the present Section shall extend to the asserted Interest of a Flag Officer claiming to share by virtue of his Flag.

Offences against Law of Prize.

In case of Offence by Captors, Prize to be

37. A Prize Court, on Proof of any Offence against the Law of Nations, or against this Act, or any Act relating to Naval Discipline, or against any Order in Council or Royal Proclamation, or of any Breach

Breach of Her Majesty's Instructions relating to Prize, or of any Act of Disobedience to the Orders of the Lords of the Admiralty, or to the Command of a Superior Officer, committed by the Captors in relation to any Ship or Goods taken as Prize, or in relation to any Person on board any such Ship, may, on Condemnation, reserve the Prize to Her Majesty's Disposal, notwithstanding any Grant that may have been made by Her Majesty in favour of Captors. reserved for Crown.

Pre-emption.

38. Where a Ship of a Foreign Nation passing the Seas laden with Naval or Victualling Stores intended to be carried to a Port of any Enemy of Her Majesty is taken and brought into a Port of the United Kingdom, and the Purchase for the Service of Her Majesty of the Stores on board the Ship appears to the Lords of the Admiralty expedient without the Condemnation thereof in a Prize Court, in that Case the Lords of the Admiralty may purchase, on the Account or for the Service of Her Majesty, all or any of the Stores on board the Ship; and the Commissioners of Customs may permit the Stores purchased to be entered and landed within any Port. Purchase by Admiralty for Public Service of Stores on board Foreign Ships.

Capture by Ship other than a Ship of War.

39. Any Ship or Goods taken as Prize by any of the Officers and Crew of a Ship other than a Ship of War of Her Majesty shall, on Condemnation, belong to Her Majesty in Her Office of Admiralty. Prizes taken by Ships other than Ships of War to be Droits of Admiralty.

IV.—Prize Salvage.

40. Where any Ship or Goods belonging to any of Her Majesty's Subjects, after being taken as Prize by the Enemy, is or are retaken from the Enemy by any of Her Majesty's Ships of War, the same shall be restored by Decree of a Prize Court to the Owner, on his paying as Prize Salvage *One Eighth* Part of the Value of the Prize to be decreed and ascertained by the Court, or such Sum not exceeding *One Eighth* Part of the estimated Value of the Prize as may be agreed on between the Owner and the Recaptors, and approved by Order of the Court. Salvage to Re-captors of British Ship or Goods from Enemy.

Provided, that where a Ship after being so taken is set forth or used by any of Her Majesty's Enemies as a Ship of War, this Provision for Restitution shall not apply, and the Ship shall be adjudicated on as in other Cases of Prize.

41. Where a Ship belonging to any of Her Majesty's Subjects, after being taken as Prize by the Enemy, is retaken from the Enemy by any of Her Majesty's Ships of War, she may, with the Consent of Permission to re-captured Ship to proceed on Voyage.

the Re-captors, prosecute her Voyage, and it shall not be necessary for the Re-captors to proceed to Adjudication till her Return to a Port of the United Kingdom.

The Master or Owner, or his Agent, may, with the Consent of the Re-captors, unload and dispose of the Goods on board the Ship before Adjudication.

In case the Ship does not, within *Six Months*, return to a Port of the United Kingdom, the Re-captors may nevertheless institute Proceedings against the Ship or Goods in the High Court of Admiralty, and the Court may thereupon award to the Re-captors as Prize Salvage *One Eighth* Part of the Value of the Ship or Goods, and may enforce Payment thereof, either by Warrant of Arrest against the Ship or Goods, or by Monition and Attachment against the Owner.

V.—Prize Bounty.

Prize Bounty to Officers and Crew present at Engagement with Enemy.

42. If, in relation to any War, Her Majesty is pleased to declare, by Proclamation or Order in Council, Her Intention to grant Prize Bounty to the Officers and Crews of Her Ships of War, then such of the Officers and Crew of any of Her Majesty's Ships of War as are actually present at the taking or destroying of any armed Ship of any of Her Majesty's Enemies shall be entitled to a Prize Bounty in respect of each Person on board the Enemy's Ship at the Beginning of the Engagement, the Amount thereof to be in respect of each such Person *Seven Pounds*, or such further Sum as the Lords of the Admiralty may, in any Case, think fit to assign as a fitting Reward for the Services performed by the Officers and Crew of Her Majesty's Ship.

Ascertainment of Amount of Prize Bounty by Decree of Prize Court.

43. The Number of the Persons so on board the Enemy's Ship shall be proved in a Prize Court, either by the Examinations on Oath of the Survivors of them, or of any *Three* or more of the Survivors, or if there is no Survivor by the Papers of the Enemy's Ship, or by the Examinations on Oath of *Three* or more of the Officers and Crew of Her Majesty's Ship, or by such other Evidence as may seem to the Court sufficient in the Circumstances.

The Court shall make a Decree declaring the Title of the Officers and Crew of Her Majesty's Ship to the Prize Bounty, and stating the Amount thereof.

The Decree shall be subject to Appeal as other Decrees of the Court.

Payment of Prize Bounty awarded.

44. On Production of an official Copy of the Decree the Commissioners of Her Majesty's Treasury shall, out of Money provided by Parliament, pay the Amount of Prize Bounty decreed, in such Manner as any Order in Council may from Time to Time direct.

VI.—Mis-

VI.—Miscellaneous Provisions.

Ransom.

Power for regulating Ransom by Order in Council.

45. Her Majesty in Council may from Time to Time, in relation to any War, make such Orders as may seem expedient, according to Circumstances, for prohibiting or allowing, wholly or in certain Cases, or subject to any Conditions or Regulations or otherwise, as may from Time to Time seem meet, the ransoming or the entering into any Contract or Agreement for the ransoming of any Ship or Goods belonging to any of Her Majesty's Subjects, and taken as Prize by any of Her Majesty's Enemies.

Any Contract or Agreement entered into, and any Bill, Bond, or other Security given for Ransom of any Ship or Goods, shall be under the exclusive Jurisdiction of the High Court of Admiralty as a Prize Court (subject to Appeal to the Judicial Committee of the Privy Council), and if entered into or given in contravention of any such Order in Council shall be deemed to have been entered into or given for an illegal Consideration.

If any Person ransoms or enters into any Contract or Agreement for ransoming any Ship or Goods, in contravention of any such Order in Council, he shall for every such Offence be liable to be proceeded against in the High Court of Admiralty at the Suit of Her Majesty in Her Office of Admiralty, and on Conviction to be fined, in the Discretion of the Court, any Sum not exceeding *Five hundred Pounds*.

Convoy.

Punishment of Masters of Merchant Vessels under Convoy disobeying Orders or deserting Convoy.

46. If the Master or other Person having the Command of any Ship of any of Her Majesty's Subjects, under the Convoy of any of Her Majesty's Ships of War, wilfully disobeys any lawful Signal, Instruction, or Command of the Commander of the Convoy, or without Leave deserts the Convoy, he shall be liable to be proceeded against in the High Court of Admiralty at the Suit of Her Majesty in Her Office of Admiralty, and upon Conviction to be fined, in the Discretion of the Court, any Sum not exceeding *Five hundred Pounds*, and to suffer Imprisonment for such Time, not exceeding *One Year*, as the Court may adjudge.

Customs Duties.

Regulations of Customs to be observed as to Prize Goods.

47. Where any Goods taken as Prize are brought into a Port of the United Kingdom, the Master or other Person in charge or command of the Vessel in which they are brought shall bring to at a Station appointed by the Commissioners of Customs for the boarding of Vessels by the Officers of Customs, and shall on the Arrival of the Vessel at her Place of mooring forthwith give Notice to the principal Officer of Customs at the Port, who shall thereupon proceed as in other Cases of Importation.

 48. The

Power for Treasury to remit Customs Duties in certain Cases.

48. The Commissioners of Her Majesty's Treasury may remit the whole or any Part of the Duties which would be payable on the Importation of such Goods, on Proof that the Goods are unfit for the Markets of the United Kingdom, or that the Proceeds thereof if sold would be insufficient after Payment of Duties to satisfy the just and reasonable Claims thereon, in either of which Cases the Goods shall be exported or otherwise disposed of under the Direction of the Commissioners of Customs.

Goods liable to Customs Duties.

49. Nothing in this Act shall exempt Goods taken as Prize and brought into Port and sold under this Act from any Duties on Importation.

Perjury.

Punishment of Persons guilty of Perjury.

50. If any Person wilfully and corruptly swears, declares, or affirms falsely in any Prize Cause or Appeal, or in any Proceeding under this Act, or in respect of any Matter required by this Act to be verified on Oath, or suborns any other Person to do so, he shall be deemed guilty of Perjury, or of Subornation of Perjury (as the Case may be), and shall be liable to be punished accordingly.

Limitation of Actions, &c.

Actions against Persons executing Act not to be brought without Notice, &c.

51. Any Action or Proceeding shall not lie in any Part of Her Majesty's Dominions against any Person acting under the Authority or in the Execution or intended Execution or in pursuance of this Act for any alleged Irregularity or Trespass, or other Act or Thing done or omitted by him under this Act, unless Notice in Writing (specifying the Cause of the Action or Proceeding) is given by the intending Plaintiff or Prosecutor to the intended Defendant *One Month* at least before the Commencement of the Action or Proceeding, nor unless the Action or Proceeding is commenced within *Six Months* next after the Act or Thing complained of is done or omitted, or, in case of a Continuation of Damage, within *Six Months* next after the doing of such Damage has ceased.

In any such Action the Defendant may plead generally that the Act or Thing complained of was done or omitted by him when acting under the Authority or in the Execution or intended Execution or in pursuance of this Act, and may give all special Matter in Evidence; and the Plaintiff shall not succeed if Tender of sufficient Amends is made by the Defendant before the Commencement of the Action; and in case no Tender has been made, the Defendant may, by Leave of the Court in which the Action is brought, at any Time pay into Court such Sum of Money as he may think fit, whereupon such Proceeding and Order shall be had and made in and by the Court

Court as may be had and made on the Payment of Money into Court in an ordinary Action; and if the Plaintiff does not succeed in the Action, the Defendant shall receive such full and reasonable Indemnity as to all Costs, Charges, and Expenses incurred in and about the Action as may be taxed and allowed by the proper Officer, subject to Review.

Any such Action or Proceeding against any Person in Her Majesty's Naval Service, or in the Employment of the Lords of the Admiralty, shall not be brought or instituted elsewhere than in the United Kingdom.

Petitions of Right.

Jurisdiction of High Court of Admiralty on Petitions of Right in certain Cases. 23 & 24 Vict. c. 34.

52. A Petition of Right, under The Petitions of Right Act, 1860, may, if the Suppliant thinks fit, be intituled in the High Court of Admiralty, in case the Subject Matter of the Petition or any material Part thereof arises out of the Exercise of any Belligerent Right on behalf of the Crown, or would be cognizable in a Prize Court within Her Majesty's Dominions if the same were a Matter in dispute between private Persons.

Any Petition of Right under the last-mentioned Act, whether intituled in the High Court of Admiralty or not, may be prosecuted in that Court, if the Lord Chancellor thinks fit so to direct.

The Provisions of this Act relative to Appeal, and to the framing and Approval of General Orders for regulating the Procedure and Practice of the High Court of Admiralty, shall extend to the Case of any such Petition of Right intituled or directed to be prosecuted in that Court; and, subject thereto, all the Provisions of The Petitions of Right Act, 1860, shall apply, mutatis mutandis, in the Case of any such Petition of Right; and for the Purposes of the present Section the Terms "Court" and "Judge" in that Act shall respectively be understood to include and to mean the High Court of Admiralty and the Judge thereof, and other Terms shall have the respective Meanings given to them in that Act.

Orders in Council.

Power to make Orders in Council.

53. Her Majesty in Council may from Time to Time make such Orders in Council as may seem meet for the better Execution of this Act.

Savings.

Savings for Rights of Crown; Effect of Treaties, &c.

54. Nothing in this Act shall—

(1.) give to the Officers and Crew of any of Her Majesty's Ships of War any Right or Claim in or to any Ship or Goods taken as Prize or the Proceeds thereof, it being the Intent of this

Act that such Officers and Crews shall continue to take only such Interest (if any) in the Proceeds of Prizes as may be from Time to Time granted to them by the Crown; or

(2.) affect the Operation of any existing Treaty or Convention with any Foreign Power; or

(3.) take away or abridge the Power of the Crown to enter into any Treaty or Convention with any Foreign Power containing any Stipulation that may seem meet concerning any Matter to which this Act relates; or

(4.) take away, abridge, or control, further or otherwise than as may be expressly provided by this Act, any Right, Power, or Prerogative of Her Majesty the Queen in right of Her Crown, or in right of Her Office of Admiralty, or any Right or Power of the Lord High Admiral of the United Kingdom, or of the Commissioners for executing the Office of Lord High Admiral; or

(5.) take away, abridge, or control, further or otherwise than as may be expressly provided by this Act, the Jurisdiction or Authority of a Prize Court to take cognizance of and judicially proceed upon any Capture, Seizure, Prize, or Reprisal of any Ship or Goods, and to hear and determine the same, and, according to the Course of Admiralty and the Law of Nations, to adjudge and condemn any Ship or Goods, or any other Jurisdiction or Authority of or exerciseable by a Prize Court.

Commencement.

Time of Commencement of Act.

55. This Act shall commence on the Commencement of The Naval Agency and Distribution Act, 1864.

Naval Prize.

A

BILL

For regulating Naval Prize of War.

(Prepared and brought in by
Lord Clarence Paget and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Printed,*
2 *March* 1864.

[Bill 41.]

Under 3 *oz.*

Naval Prize Bill.

[AS AMENDED IN COMMITTEE.]

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A

B I L L

[AS AMENDED IN COMMITTEE]

FOR

Regulating Naval Prize of War.

WHEREAS it is expedient to enact permanently, with Amendments, such Provisions concerning Naval Prize, and Matters connected therewith, as have heretofore been usually passed at the Beginning of a War: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Naval Prize Act, 1864. Short Title.

2. In this Act— Interpretation.

The Term "the Lords of the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral:

The Term "the High Court of Admiralty" means the High Court of Admiralty of England:

The Term "any of Her Majesty's Ships of War" includes any of Her Majesty's Vessels of War, and any hired armed Ship or Vessel in Her Majesty's Service:

The Term "Officers and Crew" includes Flag Officers, Commanders, and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships of War:

The Term "Ship" includes Vessel and Boat, with the Tackle, Furniture, and Apparel of the Ship, Vessel, or Boat:

The Term "Ship Papers" includes all Books, Passes, Sea Briefs, Charter Parties, Bills of Lading, Cockets, Letters, and other Documents and Writings delivered up or found on board a captured Ship:

The Term "Goods" includes all such Things as are by the Course of Admiralty and Law of Nations the Subject of Adjudication as Prize (other than Ships).

I.—Prize Courts.

High Court of Admiralty and other Courts to be Prize Courts for Purposes of Act.

3. The High Court of Admiralty, and every Court of Admiralty or of Vice-Admiralty, or other Court exercising Admiralty Jurisdiction in Her Majesty's Dominions, for the Time being authorized to take cognizance of and judicially proceed in Matters of Prize, shall be a Prize Court within the Meaning of this Act.

Every such Court, other than the High Court of Admiralty, is comprised in the Term "Vice-Admiralty Prize Court," when hereafter used in this Act.

High Court of Admiralty.

Jurisdiction of High Court of Admiralty.

4. The High Court of Admiralty shall have Jurisdiction throughout Her Majesty's Dominions as a Prize Court.

The High Court of Admiralty as a Prize Court shall have Power to enforce any Order or Decree of a Vice-Admiralty Prize Court, and any Order or Decree of the Judicial Committee of the Privy Council in a Prize Appeal.

Appeal; Judicial Committee.

Appeal to Queen in Council, in what Cases.

5. An Appeal shall lie to Her Majesty in Council from any Order or Decree of a Prize Court, as of Right in case of a Final Decree, and in other Cases with the Leave of the Court making the Order or Decree.

Every Appeal shall be made in such Manner and Form and subject to such Regulations (including Regulations as to Fees, Costs, Charges, and Expenses) as may for the Time being be directed by Order in Council, and in the Absence of any such Order, or so far as any such Order does not extend, then in such Manner and Form

Form and subject to such Regulations as are for the Time being prescribed or in force respecting Maritime Causes of Appeal.

Jurisdiction of Judicial Committee in Prize Appeals.

6. The Judicial Committee of the Privy Council shall have Jurisdiction to hear and report on any such Appeal, and may therein exercise all such Powers as for the Time being appertain to them in respect of Appeals from any Court of Admiralty Jurisdiction, and all such Powers as are under this Act vested in the High Court of Admiralty, and all such Powers as were wont to be exercised by the Commissioners of Appeal in Prize Causes.

Custody of Processes, Papers, &c.

7. All Processes and Documents required for the Purposes of any such Appeal shall be transmitted to and shall remain in the Custody of the Registrar of Her Majesty in Prize Appeals.

Limit of Time for Appeal.

8. In every such Appeal the usual Inhibition shall be extracted from the Registry of Her Majesty in Prize Appeals within Three Months after the Date of the Order or Decree appealed from if the Appeal be from the High Court of Admiralty, and within Six Months after that Date if it be from a Vice-Admiralty Prize Court.

The Judicial Committee may, nevertheless, on sufficient Cause shown, allow the Inhibition to be extracted and the Appeal to be prosecuted after the Expiration of the respective Periods aforesaid.

Vice-Admiralty Prize Courts.

Enforcement of Orders of High Court, &c.

9. Every Vice-Admiralty Prize Court shall enforce within its Jurisdiction all Orders and Decrees of the Judicial Committee in Prize Appeals and of the High Court of Admiralty in Prize Causes.

Salaries of Judges of Vice-Admiralty Prize Courts.

10. Her Majesty in Council may grant to the Judge of any Vice-Admiralty Prize Court a Salary not exceeding Five hundred Pounds a Year, payable out of Money provided by Parliament, subject to such Regulations as seem meet.

A Judge to whom a Salary is so granted shall not be entitled to any further Emolument, arising from Fees or otherwise, in respect of Prize Business transacted in his Court.

An Account of all such Fees shall be kept by the Registrar of the Court, and the Amount thereof shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Retiring Pensions of Judges. 22 Vict. c. 26.

11. In accordance, as far as Circumstances admit, with the Principles and Regulations laid down in The Superannuation Act, 1859, Her Majesty in Council may grant to the Judge of any Vice-Admiralty Prize Court an annual or other Allowance, to take

effect on the Termination of his Service, and to be payable out of Money provided by Parliament.

Returns from Vice-Admiralty Prize Courts.

12. The Registrar of every Vice-Admiralty Prize Court shall, on the First Day of January and First Day of July in every Year, make out a Return (in such Form as the Lords of the Admiralty from Time to Time direct) of all Cases adjudged in the Court since the last half-yearly Return, and shall with all convenient Speed send the same to the Registrar of the High Court of Admiralty, who shall keep the same in the Registry of that Court, and who shall, as soon as conveniently may be, send a Copy of the Returns of each Half Year to the Lords of the Admiralty, who shall lay the same before both Houses of Parliament.

General.

General Orders for Prize Courts.

13. The Judicial Committee of the Privy Council, with the Judge of the High Court of Admiralty, may from Time to Time frame General Orders for regulating (subject to the Provisions of this Act) the Procedure and Practice of Prize Courts, and the Duties and Conduct of the Officers thereof and of the Practitioners therein, and for regulating the Fees to be taken by the Officers of the Courts, and the Costs, Charges, and Expenses to be allowed to the Practitioners therein.

Any such General Orders shall have full Effect, if and when approved by Her Majesty in Council, but not sooner or otherwise.

Every Order in Council made under this Section shall be laid before both Houses of Parliament.

Every such Order in Council shall be kept exhibited in a conspicuous Place in each Court to which it relates.

Prohibition of Officer of Prize Court acting as Proctor, &c.

14. It shall not be lawful for any Registrar, Marshal, or other Officer of any Prize Court, or for the Registrar of Her Majesty in Prize Appeals, directly or indirectly to act or be in any Manner concerned as Advocate, Proctor, Solicitor, or Agent, or otherwise, in any Prize Cause or Appeal, on pain of Dismissal or Suspension from Office, by Order of the Court or of the Judicial Committee (as the Case may require).

Prohibition of Proctors being concerned for adverse Parties in a Cause.

15. It shall not be lawful for any Proctor or Solicitor, or Person practising as a Proctor or Solicitor, being employed by a Party in a Prize Cause or Appeal, to be employed or concerned, by himself or his Partner, or by any other Person, directly or indirectly, by or on behalf of any adverse Party in that Cause or Appeal, on pain of Exclusion

Exclusion or Suspension from Practice in Prize Matters, by Order of the Court or of the Judicial Committee (as the Case may require).

II.—Procedure in Prize Causes.

Proceedings by Captors.

Custody of Prize Ship.

16. Every Ship taken as Prize, and brought into Port within the Jurisdiction of a Prize Court, shall forthwith, and without Bulk broken, be delivered up to the Marshal of the Court.

If there is no such Marshal, then the Ship shall be in like Manner delivered up to the principal Officer of Customs at the Port.

The Ship shall remain in the Custody of the Marshal, or of such Officer, subject to the Orders of the Court.

Bringing in of Ship Papers.

17. The Captors shall, with all practicable Speed after the Ship is brought into Port, bring the Ship Papers into the Registry of the Court.

The Officer in Command, or One of the Chief Officers of the capturing Ship, or some other Person who was present at the Capture, and saw the Ship Papers delivered up or found on board, shall make Oath that they are brought in as they were taken, without Fraud, Addition, Subduction, or Alteration, or else shall account on Oath to the Satisfaction of the Court for the Absence or altered Condition of the Ship Papers or any of them.

Where no Ship Papers are delivered up or found on board the captured Ship, the Officer in Command, or One of the Chief Officers of the capturing Ship, or some other Person who was present at the Capture, shall make Oath to that Effect.

Issue of Monition.

18. As soon as the Affidavit as to Ship Papers is filed, a Monition shall issue, returnable within Twenty Days from the Service thereof, citing all Persons in general to show Cause why the captured Ship should not be condemned.

Examinations on Standing Interrogatories.

19. The Captors shall, with all practicable Speed after the captured Ship is brought into Port, bring Three or Four of the principal Persons belonging to the captured Ship before the Judge of the Court or some Person authorized in this Behalf, by whom they shall be examined on Oath on the Standing Interrogatories.

The Preparatory Examinations on the Standing Interrogatories shall, if possible, be concluded within Five Days from the Commencement thereof.

Adjudication by Court.

20. After the Return of the Monition, the Court shall, on Production of the Preparatory Examinations and Ship Papers, proceed with all convenient Speed either to condemn or to release the captured Ship.

Further Proof.

21. Where, on Production of the Preparatory Examinations and Ship Papers, it appears to the Court doubtful whether the captured Ship is good Prize or not, the Court may direct further Proof to be adduced, either by Affidavit or by Examination of Witnesses, with or without Pleadings, or by Production of further Documents; and on such further Proof being adduced the Court shall with all convenient Speed proceed to Adjudication.

Custody, &c. of Ships of War.

22. The foregoing Provisions, as far as they relate to the Custody of the Ship, and to Examination on the Standing Interrogatories, shall not apply to Ships of War taken as Prize.

Claim.

Entry of Claim; Security for Costs.

23. At any Time before Final Decree made in the Cause, any Person claiming an Interest in the Ship may enter in the Registry of the Court a Claim, verified on Oath.

Within Five Days after entering the Claim, the Claimant shall give Security for Costs in the Sum of Sixty Pounds; but the Court shall have Power to enlarge the Time for giving Security, or to direct Security to be given in a larger Sum, if the Circumstances appear to require it.

Appraisement.

Power for Court to direct Appraisement.

24. The Court may, if it thinks fit, at any Time direct that the captured Ship be appraised.

Every Appraisement shall be made by competent Persons sworn to make the same according to the best of their Skill and Knowledge.

Delivery on Bail.

Power for Court to direct Delivery to Claimant on Bail.

25. After Appraisement, the Court may, if it thinks fit, direct that the captured Ship be delivered up to the Claimant, on his giving Security to the Satisfaction of the Court to pay to the Captors the appraised Value thereof in case of Condemnation.

Sale.

Power for Court to order Sale.

26. The Court may at any Time, if it thinks fit, on account of the Condition of the captured Ship, or on the Application of a Claimant, order that the captured Ship be appraised as aforesaid (if not already appraised), and be sold.

27. On

27. On or after Condemnation the Court may, if it thinks fit, order that the Ship be appraised as aforesaid (if not already appraised), and be sold. Sale on Condemnation.

28. Every Sale shall be made by or under the Superintendence of the Marshal of the Court or of the Officer having the Custody of the captured Ship. How Sales to be made.

29. The Proceeds of any Sale, made either before or after Condemnation, and after Condemnation the appraised Value of the captured Ship, in case she has been delivered up to a Claimant on Bail, shall be paid under an Order of the Court either into the Bank of England to the Credit of Her Majesty's Paymaster General, or into the Hands of an Official Accountant (belonging to the Commissariat or some other Department) appointed for this Purpose by the Commissioners of Her Majesty's Treasury or by the Lords of the Admiralty, subject in either Case to such Regulations as may from Time to Time be made, by Order in Council, as to the Custody and Disposal of Money so paid. Payment of Proceeds to Paymaster General or Official Accountant.

Small armed Ships.

30. The Captors may include in One Adjudication any Number, not exceeding Six, of armed Ships not exceeding One hundred Tons each, taken within Three Months next before Institution of Proceedings. One Adjudication as to several small Ships.

Goods.

31. The foregoing Provisions relating to Ships shall extend and apply, mutatis mutandis, to Goods taken as Prize on board Ship; and the Court may direct such Goods to be unladen, inventoried, and warehoused. Application of foregoing Provisions to Prize Goods.

Monition to Captors to proceed.

32. If the Captors fail to institute or to prosecute with Effect Proceedings for Adjudication, a Monition shall, on the Application of a Claimant, issue against the Captors, returnable within Six Days from the Service thereof, citing them to appear and proceed to Adjudication; and on the Return thereof the Court shall either forthwith proceed to Adjudication or direct further Proof to be adduced as aforesaid, and then proceed to Adjudication. Power for Court to call on Captors to proceed to Adjudication.

Claim on Appeal.

33. Where any Person, not an original Party in the Cause, intervenes on Appeal, he shall enter a Claim, verified on Oath, and shall give Security for Costs. Person intervening on Appeal to enter Claim.

III.—Special Cases of Capture.

Land Expeditions.

Jurisdiction of Prize Court in case of Capture in Land Expedition.

34. Where, in an Expedition of any of Her Majesty's Naval or Naval and Military Forces against a Fortress or Possession on Land, Goods belonging to the State of the Enemy or to a Public Trading Company of the Enemy exercising Powers of Government are taken in the Fortress or Possession, or a Ship is taken in Waters defended by or belonging to the Fortress or Possession, a Prize Court shall have Jurisdiction as to the Goods or Ship so taken, and any Goods taken on board the Ship, as in case of Prize.

Conjunct Capture with Ally.

Jurisdiction of Prize Court in case of Expedition with Ally.

35. Where any Ship or Goods is or are taken by any of Her Majesty's Naval or Naval and Military Forces while acting in conjunction with any Forces of any of Her Majesty's Allies, a Prize Court shall have Jurisdiction as to the same as in case of Prize, and shall have Power, after Condemnation, to apportion the due Share of the Proceeds to Her Majesty's Ally, the proportionate Amount and the Disposition of which Share shall be such as may from Time to Time be agreed between Her Majesty and Her Majesty's Ally.

Joint Capture.

Restriction on Petitions by asserted joint Captors.

36. Before Condemnation, a Petition on behalf of asserted joint Captors shall not (except by special Leave of the Court) be admitted, unless and until they give Security to the Satisfaction of the Court to contribute to the actual Captors a just Proportion of any Costs, Charges, or Expenses or Damages that may be incurred by or awarded against the actual Captors on account of the Capture and Detention of the Prize.

After Condemnation, such a Petition shall not (except by special Leave of the Court) be admitted unless and until the asserted joint Captors pay to the actual Captors a just Proportion of the Costs, Charges, and Expenses incurred by the actual Captors in the Case, and give such Security as aforesaid, and show sufficient Cause to the Court why their Petition was not presented before Condemnation.

Provided, that nothing in the present Section shall extend to the asserted Interest of a Flag Officer claiming to share by virtue of his Flag.

Offences against Law of Prize.

In case of Offence by Captors, Prize to be

37. A Prize Court, on Proof of any Offence against the Law of Nations, or against this Act, or any Act relating to Naval Discipline, or against any Order in Council or Royal Proclamation, or of any Breach

Breach of Her Majesty's Instructions relating to Prize, or of any Act of Disobedience to the Orders of the Lords of the Admiralty, or to the Command of a Superior Officer, committed by the Captors in relation to any Ship or Goods taken as Prize, or in relation to any Person on board any such Ship, may, on Condemnation, reserve the Prize to Her Majesty's Disposal, notwithstanding any Grant that may have been made by Her Majesty in favour of Captors. reserved for Crown.

Pre-emption.

38. Where a Ship of a Foreign Nation passing the Seas laden with Naval or Victualling Stores intended to be carried to a Port of any Enemy of Her Majesty is taken and brought into a Port of the United Kingdom, and the Purchase for the Service of Her Majesty of the Stores on board the Ship appears to the Lords of the Admiralty expedient without the Condemnation thereof in a Prize Court, in that Case the Lords of the Admiralty may purchase, on the Account or for the Service of Her Majesty, all or any of the Stores on board the Ship; and the Commissioners of Customs may permit the Stores purchased to be entered and landed within any Port. Purchase by Admiralty for Public Service of Stores on board Foreign Ships.

Capture by Ship other than a Ship of War.

39. Any Ship or Goods taken as Prize by any of the Officers and Crew of a Ship other than a Ship of War of Her Majesty shall, on Condemnation, belong to Her Majesty in Her Office of Admiralty. Prizes taken by Ships other than Ships of War to be Droits of Admiralty.

IV.—Prize Salvage.

40. Where any Ship or Goods belonging to any of Her Majesty's Subjects, after being taken as Prize by the Enemy, is or are retaken from the Enemy by any of Her Majesty's Ships of War, the same shall be restored by Decree of a Prize Court to the Owner, on his paying as Prize Salvage One Eighth Part of the Value of the Prize to be decreed and ascertained by the Court, or such Sum not exceeding One Eighth Part of the estimated Value of the Prize as may be agreed on between the Owner and the Recaptors, and approved by Order of the Court. Salvage to Re-captors of British Ship or Goods from Enemy.

Provided, that where a Ship after being so taken is set forth or used by any of Her Majesty's Enemies as a Ship of War, this Provision for Restitution shall not apply, and the Ship shall be adjudicated on as in other Cases of Prize.

41. Where a Ship belonging to any of Her Majesty's Subjects, after being taken as Prize by the Enemy, is retaken from the Enemy by any of Her Majesty's Ships of War, she may, with the Consent of Permission to re-captured Ship to proceed on Voyage.

the Re-captors, prosecute her Voyage, and it shall not be necessary for the Re-captors to proceed to Adjudication till her Return to a Port of the United Kingdom.

The Master or Owner, or his Agent, may, with the Consent of the Re-captors, unload and dispose of the Goods on board the Ship before Adjudication.

In case the Ship does not, within Six Months, return to a Port of the United Kingdom, the Re-captors may nevertheless institute Proceedings against the Ship or Goods in the High Court of Admiralty, and the Court may thereupon award to the Re-captors as Prize Salvage One Eighth Part of the Value of the Ship or Goods, and may enforce Payment thereof, either by Warrant of Arrest against the Ship or Goods, or by Monition and Attachment against the Owner.

V.—Prize Bounty.

Prize Bounty to Officers and Crew present at Engagement with Enemy.

42. If, in relation to any War, Her Majesty is pleased to declare, by Proclamation or Order in Council, Her Intention to grant Prize Bounty to the Officers and Crews of Her Ships of War, then such of the Officers and Crew of any of Her Majesty's Ships of War as are actually present at the taking or destroying of any armed Ship of any of Her Majesty's Enemies shall be entitled to have distributed among them as Prize Bounty a Sum calculated at the Rate of Five Pounds for each Person on board the Enemy's Ship at the Beginning of the Engagement.

Ascertainment of Amount of Prize Bounty by Decree of Prize Court.

43. The Number of the Persons so on board the Enemy's Ship shall be proved in a Prize Court, either by the Examinations on Oath of the Survivors of them, or of any Three or more of the Survivors, or if there is no Survivor by the Papers of the Enemy's Ship, or by the Examinations on Oath of Three or more of the Officers and Crew of Her Majesty's Ship, or by such other Evidence as may seem to the Court sufficient in the Circumstances.

The Court shall make a Decree declaring the Title of the Officers and Crew of Her Majesty's Ship to the Prize Bounty, and stating the Amount thereof.

The Decree shall be subject to Appeal as other Decrees of the Court.

Payment of Prize Bounty awarded.

44. On Production of an official Copy of the Decree the Commissioners of Her Majesty's Treasury shall, out of Money provided by Parliament, pay the Amount of Prize Bounty decreed, in such Manner as any Order in Council may from Time to Time direct.

VI.—Mis-

VI.—Miscellaneous Provisions.

Ransom.

Power for regulating Ransom by Order in Council.

45. Her Majesty in Council may from Time to Time, in relation to any War, make such Orders as may seem expedient, according to Circumstances, for prohibiting or allowing, wholly or in certain Cases, or subject to any Conditions or Regulations or otherwise, as may from Time to Time seem meet, the ransoming or the entering into any Contract or Agreement for the ransoming of any Ship or Goods belonging to any of Her Majesty's Subjects, and taken as Prize by any of Her Majesty's Enemies.

Any Contract or Agreement entered into, and any Bill, Bond, or other Security given for Ransom of any Ship or Goods, shall be under the exclusive Jurisdiction of the High Court of Admiralty as a Prize Court (subject to Appeal to the Judicial Committee of the Privy Council), and if entered into or given in contravention of any such Order in Council shall be deemed to have been entered into or given for an illegal Consideration.

If any Person ransoms or enters into any Contract or Agreement for ransoming any Ship or Goods, in contravention of any such Order in Council, he shall for every such Offence be liable to be proceeded against in the High Court of Admiralty at the Suit of Her Majesty in Her Office of Admiralty, and on Conviction to be fined, in the Discretion of the Court, any Sum not exceeding Five hundred Pounds.

Convoy.

Punishment of Masters of Merchant Vessels under Convoy disobeying Orders or deserting Convoy.

46. If the Master or other Person having the Command of any Ship of any of Her Majesty's Subjects, under the Convoy of any of Her Majesty's Ships of War, wilfully disobeys any lawful Signal, Instruction, or Command of the Commander of the Convoy, or without Leave deserts the Convoy, he shall be liable to be proceeded against in the High Court of Admiralty at the Suit of Her Majesty in Her Office of Admiralty, and upon Conviction to be fined, in the Discretion of the Court, any Sum not exceeding Five hundred Pounds, and to suffer Imprisonment for such Time, not exceeding One Year, as the Court may adjudge.

Customs Duties and Regulations.

Prize Ships and Goods liable to Duties.

47. All Ships and Goods taken as Prize and brought into a Port of the United Kingdom shall be liable to and be charged with the same Rates and Charges and Duties of Customs as under any Act relating to the Customs may be chargeable on other Ships and Goods of the like Description.

Regulations of Customs to be observed as to Prize Ships and Goods.

48. Where any Ship or Goods taken as Prize is or are brought into a Port of the United Kingdom, the Master or other Person in charge or command of the Ship which has been taken or in which the Goods are brought shall, on Arrival at such Port, bring to at the proper Place of Discharge, and shall, when required by any Officer of Customs, deliver an Account in Writing under his Hand concerning such Ship and Goods, giving such Particulars relating thereto as may be in his Power, and shall truly answer all Questions concerning such Ship or Goods asked by any such Officer, and in default shall forfeit a Sum not exceeding One hundred Pounds, such Forfeiture to be enforced as Forfeitures for Offences against the Laws relating to the Customs are enforced, and every such Ship shall be liable to such Searches as other Ships are liable to, and the Officers of the Customs may freely go on board such Ship and bring to the Queen's Warehouse any Goods on board the same, subject, nevertheless, to such Regulations in respect of Ships of War belonging to Her Majesty as shall from Time to Time be issued by the Commissioners of Her Majesty's Treasury.

Power for Treasury to remit Customs Duties in certain Cases.

49. Goods taken as Prize may be sold either for Home Consumption or for Exportation; and if in the former Case the Proceeds thereof, after Payment of Duties of Customs, are insufficient to satisfy the just and reasonable Claims thereon, the Commissioners of Her Majesty's Treasury may remit the whole or such Part of the said Duties as they see fit.

Perjury.

Punishment of Persons guilty of Perjury.

50. If any Person wilfully and corruptly swears, declares, or affirms falsely in any Prize Cause or Appeal, or in any Proceeding under this Act, or in respect of any Matter required by this Act to be verified on Oath, or suborns any other Person to do so, he shall be deemed guilty of Perjury, or of Subornation of Perjury (as the Case may be), and shall be liable to be punished accordingly.

Limitation of Actions, &c.

Actions against Persons executing Act not to be brought without Notice, &c.

51. Any Action or Proceeding shall not lie in any Part of Her Majesty's Dominions against any Person acting under the Authority or in the Execution or intended Execution or in pursuance of this Act for any alleged Irregularity or Trespass, or other Act or Thing done or omitted by him under this Act, unless Notice in Writing (specifying the Cause of the Action or Proceeding) is given by the intending Plaintiff or Prosecutor to the intended Defendant One Month at least before the Commencement of the Action or Proceeding, nor unless the Action or Proceeding is commenced within Six Months next

next after the Act or Thing complained of is done or omitted, or, in case of a Continuation of Damage, within Six Months next after the doing of such Damage has ceased.

In any such Action the Defendant may plead generally that the Act or Thing complained of was done or omitted by him when acting under the Authority or in the Execution or intended Execution or in pursuance of this Act, and may give all special Matter in Evidence; and the Plaintiff shall not succeed if Tender of sufficient Amends is made by the Defendant before the Commencement of the Action; and in case no Tender has been made, the Defendant may, by Leave of the Court in which the Action is brought, at any Time pay into Court such Sum of Money as he thinks fit, whereupon such Proceeding and Order shall be had and made in and by the Court as may be had and made on the Payment of Money into Court in an ordinary Action; and if the Plaintiff does not succeed in the Action, the Defendant shall receive such full and reasonable Indemnity as to all Costs, Charges, and Expenses incurred in and about the Action as may be taxed and allowed by the proper Officer, subject to Review; and though a Verdict is given for the Plaintiff in the Action he shall not have Costs against the Defendant, unless the Judge before whom the Trial is had certifies his Approval of the Action.

Any such Action or Proceeding against any Person in Her Majesty's Naval Service, or in the Employment of the Lords of the Admiralty, shall not be brought or instituted elsewhere than in the United Kingdom.

Petitions of Right.

Jurisdiction of High Court of Admiralty on Petitions of Right in certain Cases. 23 & 24 Vict. c. 34.

52. A Petition of Right, under The Petitions of Right Act, 1860, may, if the Suppliant thinks fit, be intituled in the High Court of Admiralty, in case the Subject Matter of the Petition or any material Part thereof arises out of the Exercise of any Belligerent Right on behalf of the Crown, or would be cognizable in a Prize Court within Her Majesty's Dominions if the same were a Matter in dispute between private Persons.

Any Petition of Right under the last-mentioned Act, whether intituled in the High Court of Admiralty or not, may be prosecuted in that Court, if the Lord Chancellor thinks fit so to direct.

The Provisions of this Act relative to Appeal, and to the framing and Approval of General Orders for regulating the Procedure and Practice of the High Court of Admiralty, shall extend to the Case of any such Petition of Right intituled or directed to be prosecuted in that Court; and, subject thereto, all the Provisions of The Petitions of Right Act, 1860, shall apply, mutatis mutandis, in the Case of any such Petition of Right; and for the Purposes of the present Section

the Terms "Court" and "Judge" in that Act shall respectively be understood to include and to mean the High Court of Admiralty and the Judge thereof, and other Terms shall have the respective Meanings given to them in that Act.

Orders in Council.

Power to make Orders in Council.

53. Her Majesty in Council may from Time to Time make such Orders in Council as seem meet for the better Execution of this Act.

Savings.

Savings for Rights of Crown; Effect of Treaties, &c.

54. Nothing in this Act shall—

(1.) give to the Officers and Crew of any of Her Majesty's Ships of War any Right or Claim in or to any Ship or Goods taken as Prize or the Proceeds thereof, it being the Intent of this Act that such Officers and Crews shall continue to take only such Interest (if any) in the Proceeds of Prizes as may be from Time to Time granted to them by the Crown; or

(2.) affect the Operation of any existing Treaty or Convention with any Foreign Power; or

(3.) take away or abridge the Power of the Crown to enter into any Treaty or Convention with any Foreign Power containing any Stipulation that may seem meet concerning any Matter to which this Act relates; or

(4.) take away, abridge, or control, further or otherwise than as expressly provided by this Act, any Right, Power, or Prerogative of Her Majesty the Queen in right of Her Crown, or in right of Her Office of Admiralty, or any Right or Power of the Lord High Admiral of the United Kingdom, or of the Commissioners for executing the Office of Lord High Admiral; or

(5.) take away, abridge, or control, further or otherwise than as expressly provided by this Act, the Jurisdiction or Authority of a Prize Court to take cognizance of and judicially proceed upon any Capture, Seizure, Prize, or Reprisal of any Ship or Goods, and to hear and determine the same, and, according to the Course of Admiralty and the Law of Nations, to adjudge and condemn any Ship or Goods, or any other Jurisdiction or Authority of or exerciseable by a Prize Court.

Commencement.

Time of Commencement of Act.

55. This Act shall commence on the Commencement of The Naval Agency and Distribution Act, 1864.

Naval Prize.

A

BILL

[AS AMENDED IN COMMITTEE]

For regulating Naval Prize of War.

(*Prepared and brought in by*
Lord Clarence Paget and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Printed,*
14 *April* 1864.

[Bill 65.]

Under 3 oz.

2 *March* 1864. 27 Vict.

A

B I L L

TO

Repeal Enactments relating to Naval Prize of War and Matters connected therewith or with the Discipline or Management of the Navy.

Preamble.

WHEREAS the Enactments described in the Schedule to this Act relate wholly or mainly to Naval Prize of War and Matters connected therewith or with the Discipline or Management of the Navy, and the same either have ceased to be in force, or on the Commencement of The Naval Prize Act, 1864, and The Naval Agency and Distribution Act, 1864, will cease to be in force; and it is therefore expedient that the same be expressly repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Enactments in Schedule, subject to Exceptions, &c.

1. The Enactments described in the Schedule to this Act are hereby repealed, subject to the Exceptions in the Schedule mentioned; but this Repeal shall not affect the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability acquired or accrued, before the Commencement of this Act.

Commencement.

2. This Act shall commence on the Commencement of The Naval Prize Act, 1864, and The Naval Agency and Distribution Act, 1864.

Short Title.

3. This Act may be cited as The Naval Prize Acts Repeal Act, 1864.

SCHE-

SCHEDULE.

6 Ann. c. 13. (c. 65. in The Statutes of the Realm.)	An Act for the better securing the Trade of this Kingdom by Cruisers and Convoys.
6 Ann. c. 37. (c. 64. in The Statutes of the Realm) in part.	An Act for the Encouragement of the Trade to America:— Except Sections Nine to Thirteen, both inclusive.
9 Ann. c. 27. (c. 29. in The Statutes of the Realm.)	An Act for the Encouragement of the Trade to America.
10 Ann. c. 22. (c. 30. in The Statutes of the Realm.)	An Act for Relief of Merchants importing Prize Goods from America.
13 Geo. 2. c. 4.	An Act for the more effectual securing and encouraging the Trade of His Majesty's British Subjects to America, and for the Encouragement of Seamen to enter into His Majesty's Service.
13 Geo. 2. c. 27.	An Act for prohibiting Commerce with Spain.
17 Geo. 2. c. 34.	An Act for the better Encouragement of Seamen in His Majesty's Service, and Privateers, to annoy the Enemy.
19 Geo. 2. c. 30.	An Act for the better Encouragement of the Trade of His Majesty's Sugar Colonies in America.
20 Geo. 2. c. 24. in part.	An Act for the better securing the Payment of Shares of Prizes taken from the Enemy to the Royal Hospital at Greenwich; and for preventing the Embezzlement of Goods and Stores belonging to the said Hospital:— Except Sections Fifteen and Sixteen.
20 Geo. 2. c. 35.	An Act to indemnify Persons who have omitted to register their Letters of Attorney, appointing them Agents for Prizes within the Time limited by Law; and for allowing further Time for that Purpose.
22 Geo. 2. c. 3.	An Act declaring the Authority of the Commissioners appointed by His Majesty under the Great Seal of Great Britain, for receiving, hearing, and determining Appeals in Causes of Prizes.
29 Geo. 2. c. 34.	An Act for the Encouragement of Seamen, and the more speedy and effectual manning His Majesty's Navy.
30 Geo. 2. c. 18.	An Act for the Relief and Encouragement of the Captors of Prizes, with respect to the bringing and landing Prize Goods in this Kingdom.
32 Geo. 2. c. 25.	An Act to explain and amend an Act made in the Twenty-ninth Year of His present Majesty's Reign, intituled "An Act for the Encouragement of Seamen, and the more speedy and effectual manning His Majesty's Navy; and for the better Prevention of Piracies and Robberies by Crews of private Ships of War."
33 Geo. 2. c. 19.	An Act for the more effectual securing the Payment of such Prize and Bounty Monies as were appropriated to the Use of Greenwich Hospital, by an Act made in the Twenty-ninth Year of the Reign of His present Majesty, intituled "An Act for the Encouragement of Seamen and the more speedy and effectual manning His Majesty's Navy."
2 Geo. 3. c. 16.	An Act for the Encouragement of Seamen and the more speedy and effectual manning His Majesty's Navy.
12 Geo. 3. c. 25.	An Act for the more effectual vesting in the Royal Hospital at Greenwich the forfeited and unclaimed Shares of Naval Officers, Seamen, and Marines, in Prizes taken from the Enemy; and for other Purposes therein mentioned.
18 Geo. 3. c. 15.	An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in this Kingdom.
19 Geo. 3. c. 5.	An Act for granting Relief to the Captors of Prizes, with respect to bringing and landing certain French Prizes in this Kingdom.
19 Geo. 3. c. 67.	An Act for the Encouragement of Seamen, and the more speedy and effectual manning His Majesty's Navy.

20 Geo. 3. c. 9.	An Act for extending the Provisions of Two Acts made in the Eighteenth Year of His present Majesty's Reign, and in the last Session of Parliament, with respect to bringing Prize Goods into this Kingdom, to Spanish Prize Goods; and for repealing so much of the said last-mentioned Act as relates to the Certificates for Prize Tea and East India Goods exported from this Kingdom to Ireland; for the Removal of East India Goods condemned as Prize at any Out-Port to London for Sale, and of Prize Goods for Exportation; and for reducing the Duty on Foreign Prize Tobacco.
20 Geo. 3. c. 23.	An Act to amend an Act made in the last Session of Parliament, intituled "An Act for the Encouragement of Seamen, and the more speedy and "effectual manning His Majesty's Navy;" and for making further Provision for those Purposes.
21 Geo. 3. c. 5.	An Act for extending the Provisions of Three Acts, made in the Eighteenth, Nineteenth, and Twentieth Years of His present Majesty's Reign, with respect to bringing Prize Goods into this Kingdom, to Prizes taken from the States General of the United Provinces; for declaring what Goods shall be deemed Military or Ship Stores; for regulating the Sale of and ascertaining the Duties upon East India Goods condemned as Prize in the Port of London; for permitting the Purchasers of Prize Goods condemned abroad to import such Goods into this Kingdom, under the like Regulations and Advantages as are granted by Law to Captors themselves; and for reducing the Duties on Foreign Prize Tobacco.
21 Geo. 3. c. 15.	An Act for the Encouragement of Seamen, and for the more speedy and effectual manning His Majesty's Navy.
21 Geo. 3. c. 44.	An Act for the more effectually securing to the Royal Hospital for Seamen at Greenwich, all such forfeited and unclaimed Shares of Prize and Bounty Money as shall arise from or in respect of any Prizes to be condemned and sold in His Majesty's Dominions beyond the Sea; and to compel the more speedy Payment thereof.
22 Geo. 3. c. 15.	An Act for the Relief of Naval Officers, Seamen, Marines, and Soldiers with respect to Prize and Bounty Money not claimed in due Time.
22 Geo. 3. c. 25.	An Act to prohibit the Ransoming of Ships or Vessels captured from His Majesty's Subjects, and of the Merchandize or Goods on board such Ships or Vessels.
23 Geo. 3. c. 57.	An Act for the Sale of Prize Goods secured in Warehouses in this Kingdom, for which the Duties are not paid or the Goods exported within a limited Time.
33 Geo. 3. c. 66.	An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy.
35 Geo. 3. c. 121.	An Act to explain and amend an Act made in the Twentieth Year of the Reign of His present Majesty, intituled "An Act to amend an Act made in "the last Session of Parliament, intituled 'An Act for the Encouragement of "Seamen, and for the better and more effectual manning His Majesty's "Navy; and for making further Provisions for those Purposes;'" and also an Act made in the Twenty-first Year of the Reign of His present Majesty, intituled "An Act for the Encouragement of Seamen and the more speedy "and effectual manning His Majesty's Navy; and for the better Encourage-"ment of Seamen for His Majesty's Navy."
37 Geo. 3. c. 109.	An Act to amend an Act made in the Thirty-third Year of the Reign of His present Majesty, intituled "An Act for the Encouragement of Seamen, and "for the better and more effectually manning His Majesty's Navy; and "for making further Provision for those Purposes."
41 Geo. 3. (U.K.) c. 76.	An Act to authorize the issuing of Commissions and Letters of Marque and Reprisal against His Majesty's Enemies, to such Ships and Vessels belonging to His Majesty as are or may be employed in the Service of the Boards of Customs and Excise, and other Public Boards in this Kingdom.
41 Geo. 3. (U.K.) c. 96.	An Act for the better Regulation of His Majesty's Prize Courts in the West Indies and America, and for giving a more speedy and effectual Execution of the Decrees of the Lords Commissioners of Appeals.
43 Geo. 3. c. 160.	An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy; for regulating the Payment of Prize Money; and for making Provision for the Salaries of the Judges of the Vice-Admiralty Courts in the Island of Malta, and in the Bermuda and Bahama Islands.

45 Geo. 3. c. 72.	An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy during the present War.
48 Geo. 3. c. 100.	An Act for extending the Provisions of an Act made in the Forty-seventh Year of His present Majesty, so far as respects the Payment of Prize Money arising from Captures made by Foreign in conjunction with British Ships, to Captures made by the Land Forces of Foreign States in conjunction with the British.
48 Geo. 3. c. 132.	An Act to extend the Provisions of an Act passed in the Forty-fifth Year of His present Majesty, for the Encouragement of Seamen and better manning His Majesty's Navy, to Cases arising in consequence of Hostilities commenced since the passing of the said Act.
49 Geo. 3. c. 123. in part.	An Act to explain and amend an Act made in the Forty-fifth Year of His present Majesty, for the Encouragement of Seamen and for the better and more effectually manning His Majesty's Navy during the present War; and for the further Encouragement of Seamen, and for the better and more effectually providing for the Interest of the Royal Hospital for Seamen at Greenwich, and the Royal Hospital for Soldiers at Chelsea; and to extend the Provisions of the said Act to Cases arising in consequence of Hostilities commenced since the passing of the said Act - - - - - :— Except so much of Section Sixteen and the subsequent Sections to the End of the Act as relates to Chelsea Hospital or to Officers or Soldiers.
53 Geo. 3. c. 63.	An Act to extend Two Acts of the Forty-fifth and Forty-ninth Years of His present Majesty to American Prizes.
54 Geo. 3. c. 93.	An Act for regulating the Payment of Navy Prize Money, and the Transmission of Accounts and Payment of Balances to Greenwich Hospital.
55 Geo. 3. c. 160.	An Act for the Encouragement of Seamen, and the more effectual manning of His Majesty's Navy during the present War.
57 Geo. 3. c. 118. in part.	An Act for authorizing the Executors or Administrators of deceased licensed Navy Agents to receive Prize Money, Bounty Money, and other Allowances of Money upon Orders given to such deceased Agents - - - } in part; namely, So much as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.
57 Geo. 3. c. 127. in part.	An Act to settle the Share of Prize Money, Droits of Admiralty, and Bounty Money payable to Greenwich Hospital, and for securing to the said Hospital all unclaimed Shares of Vessels found derelict, and of Seizures for Breach of Revenue, Colonial, Navigation, and Slave Abolition Laws - - - - - - - } in part; namely, So much as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.
58 Geo. 3. c. 64.	An Act to make further Regulations respecting the Payment of Navy Prize Money, and to authorize the Governors of Greenwich Hospital to pay over certain Shares of Prize Money due to Russian Seamen to His Excellency the Russian Ambassador.
59 Geo. 3. c. 56. in part.	An Act to make further Regulations as to the Payment of Navy Prize Orders - - - - - } in part; namely, So much as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.
1 Geo. 4. c. 85. in part.	An Act to make further Provisions respecting Naval Prize Money - - - - - } in part; namely, So much as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.
10 Geo. 4. c. 25. in part.	An Act to provide for the better Management of the Affairs of Greenwich Hospital - - - - } in part; namely, So much as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.

10 Geo. 4. c. 26. in part.	An Act for transferring the Management of Greenwich Out-Pensioners and certain Duties in Matters of Prize to the Treasurer of the Navy } in part; namely, So much as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864, except as to Wills or Administrations, or deceased Officers, Seamen, or Marines.
11 Geo. 4. & 1 Will. 4. c. 20. in part.	An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy } in part; namely, Section Sixty-six wholly, and so much of the following Sections respectively as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864; namely, Sections Twenty-two and Forty-seven, Sections Forty-eight to Fifty-two, both inclusive (except so far as the Five Sections last mentioned respectively relate to Wills or Administrations, or to deceased Officers, Seamen, or Marines), Sections Sixty, Sixty-seven, Seventy, Seventy-two, Seventy-eight, and Seventy-nine, and Sections Eighty-three and Eighty-four (except so far as the Two Sections last mentioned respectively relate to deceased Officers, Seamen, or Marines).
2 & 3 Will. 4. c. 40. in part.	An Act to amend the Laws relating to the Business of the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments } in part; namely, Sections Twenty and Twenty-two wholly, and so much of the following Sections respectively as relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864; namely, Sections Four, Eight, Nine, Nineteen, Twenty-one, and Twenty-nine.
13 & 14 Vict. c. 40.	An Act to regulate the Disposition of the Naval Prize Balance.
17 & 18 Vict. c. 18.	An Act for the Encouragement of Seamen, and the more effectual manning of Her Majesty's Navy during the present War.
17 & 18 Vict. c. 19. in part.	An Act for facilitating the Payment of Her Majesty's Navy, and the Payment and Distribution of Prize, Bounty, Salvage, and other Monies to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War; and for the better Regulation of the Accounts relating thereto } :— Except Sections Ten, Eleven, and Twelve, and except so much of Section Thirteen as relates to the paying of the Navy and the keeping of Accounts and Expenses in relation thereto.
26 & 27 Vict. c. 116.	An Act to provide for the Appointment of Navy Prize Agents, and respecting their Duties and Remuneration.

Naval Prize Acts Repeal.

A

B I L L

To repeal Enactments relating to Naval Prize of War and Matters connected therewith or with the Discipline or Management of the Navy.

(Prepared and brought in by Lord Clarence Paget and Mr. Stansfeld.)

Ordered by The House of Commons, *to be Printed*, 2 *March* 1864.

[Bill 40.]

Under 1 *oz.*

14 *April* 1864. 27 Vict.

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Repeal Enactments relating to Naval Prize of War and Matters connected therewith or with the Discipline or Management of the Navy.

WHEREAS the Enactments described in the Schedule to this Act relate wholly or mainly to Naval Prize of War and Matters connected therewith or with the Discipline or Management of the Navy, and the same either have ceased to be in force, or on the Commencement of The Naval Prize Act, 1864, and The Naval Agency and Distribution Act, 1864, will cease to be in force; and it is therefore expedient that the same be expressly repealed: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Enactments described in the Schedule to this Act are hereby repealed, subject to the Exceptions in the Schedule mentioned; but the Repeal by this Act of any Enactment shall not affect any Act in which such Enactment has been applied, incorporated, or referred to; nor shall this Act affect the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability Repeal of Enactments in Schedule, subject to Exceptions, &c.

bility acquired or accrued, before the Commencement of this Act; nor shall this Act interfere with the carrying on and finally disposing of any Matter or Thing arising out of any past War in reference to any Enactment hereby repealed, or with the Institution or Prosecution of any Proceeding in respect of any Offence committed against or any Penalty or Forfeiture incurred under any Enactment hereby repealed.

Commencement.

2. This Act shall commence on the Commencement of The Naval Prize Act, 1864, and The Naval Agency and Distribution Act, 1864.

Short Title.

3. This Act may be cited as The Naval Prize Acts Repeal Act, 1864.

SCHE-

SCHEDULE.

6 Ann. c. 13. (c. 65. in The Statutes of the Realm.)	An Act for the better securing the Trade of this Kingdom by Cruisers and Convoys.
6 Ann. c. 37. (c. 64. in The Statutes of the Realm.)	An Act for the Encouragement of the Trade to America.
9 Ann. c. 27. (c. 29. in The Statutes of the Realm.)	An Act for the Encouragement of the Trade to America.
10 Ann. c. 22. (c. 30. in The Statutes of the Realm.)	An Act for Relief of Merchants importing Prize Goods from America.
13 Geo. 2. c. 4.	An Act for the more effectual securing and encouraging the Trade of His Majesty's British Subjects to America, and for the Encouragement of Seamen to enter into His Majesty's Service.
13 Geo. 2. c. 27.	An Act for prohibiting Commerce with Spain.
17 Geo. 2. c. 34.	An Act for the better Encouragement of Seamen in His Majesty's Service, and Privateers, to annoy the Enemy.
19 Geo. 2. c. 30.	An Act for the better Encouragement of the Trade of His Majesty's Sugar Colonies in America.
20 Geo. 2. c. 24.	An Act for the better securing the Payment of Shares of Prizes taken from the Enemy to the Royal Hospital at Greenwich; and for preventing the Embezzlement of Goods and Stores belonging to the said Hospital.
20 Geo. 2. c. 35.	An Act to indemnify Persons who have omitted to register their Letters of Attorney, appointing them Agents for Prizes within the Time limited by Law; and for allowing further Time for that Purpose.
22 Geo. 2. c. 3.	An Act declaring the Authority of the Commissioners appointed by His Majesty under the Great Seal of Great Britain, for receiving, hearing, and determining Appeals in Causes of Prizes.
29 Geo. 2. c. 34.	An Act for the Encouragement of Seamen, and the more speedy and effectual manning His Majesty's Navy.
30 Geo. 2. c. 18.	An Act for the Relief and Encouragement of the Captors of Prizes, with respect to the bringing and landing Prize Goods in this Kingdom.
32 Geo. 2. c. 25.	An Act to explain and amend an Act made in the Twenty-ninth Year of His present Majesty's Reign, intituled "An Act for the Encouragement of Seamen, and the more speedy and effectual manning His Majesty's Navy; and for the better Prevention of Piracies and Robberies by Crews of private Ships of War."
33 Geo. 2. c. 19.	An Act for the more effectual securing the Payment of such Prize and Bounty Monies as were appropriated to the Use of Greenwich Hospital, by an Act made in the Twenty-ninth Year of the Reign of His present Majesty, intituled "An Act for the Encouragement of Seamen and the more speedy and effectual manning His Majesty's Navy."
2 Geo. 3. c. 16.	An Act for the Encouragement of Seamen and the more speedy and effectual manning His Majesty's Navy.
12 Geo. 3. c. 25.	An Act for the more effectual vesting in the Royal Hospital at Greenwich the forfeited and unclaimed Shares of Naval Officers, Seamen, and Marines, in Prizes taken from the Enemy; and for other Purposes therein mentioned.
18 Geo. 3. c. 15.	An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in this Kingdom.
19 Geo. 3. c. 5.	An Act for granting Relief to the Captors of Prizes, with respect to bringing and landing certain French Prizes in this Kingdom.
19 Geo. 3. c. 67.	An Act for the Encouragement of Seamen, and the more speedy and effectual manning His Majesty's Navy.

20 Geo. 3. c. 9.	An Act for extending the Provisions of Two Acts made in the Eighteenth Year of His present Majesty's Reign, and in the last Session of Parliament, with respect to bringing Prize Goods into this Kingdom, to Spanish Prize Goods; and for repealing so much of the said last-mentioned Act as relates to the Certificates for Prize Tea and East India Goods exported from this Kingdom to Ireland; for the Removal of East India Goods condemned as Prize at any Out-Port to London for Sale, and of Prize Goods for Exportation; and for reducing the Duty on Foreign Prize Tobacco.
20 Geo. 3. c. 23.	An Act to amend an Act made in the last Session of Parliament, intituled "An Act for the Encouragement of Seamen, and the more speedy and "effectual manning His Majesty's Navy;" and for making further Provision for those Purposes.
21 Geo. 3. c. 5.	An Act for extending the Provisions of Three Acts, made in the Eighteenth, Nineteenth, and Twentieth Years of His present Majesty's Reign, with respect to bringing Prize Goods into this Kingdom, to Prizes taken from the States General of the United Provinces; for declaring what Goods shall be deemed Military or Ship Stores; for regulating the Sale of and ascertaining the Duties upon East India Goods condemned as Prize in the Port of London; for permitting the Purchasers of Prize Goods condemned abroad to import such Goods into this Kingdom, under the like Regulations and Advantages as are granted by Law to Captors themselves; and for reducing the Duties on Foreign Prize Tobacco.
21 Geo. 3. c. 15.	An Act for the Encouragement of Seamen, and for the more speedy and effectual manning His Majesty's Navy.
21 Geo. 3. c. 44.	An Act for the more effectually securing to the Royal Hospital for Seamen at Greenwich, all such forfeited and unclaimed Shares of Prize and Bounty Money as shall arise from or in respect of any Prizes to be condemned and sold in His Majesty's Dominions beyond the Sea; and to compel the more speedy Payment thereof.
22 Geo. 3. c. 15.	An Act for the Relief of Naval Officers, Seamen, Marines, and Soldiers with respect to Prize and Bounty Money not claimed in due Time.
22 Geo. 3. c. 25.	An Act to prohibit the Ransoming of Ships or Vessels captured from His Majesty's Subjects, and of the Merchandize or Goods on board such Ships or Vessels.
23 Geo. 3. c. 57.	An Act for the Sale of Prize Goods secured in Warehouses in this Kingdom, for which the Duties are not paid or the Goods exported within a limited Time.
33 Geo. 3. c. 66.	An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy.
35 Geo. 3. c. 121.	An Act to explain and amend an Act made in the Twentieth Year of the Reign of His present Majesty, intituled "An Act to amend an Act made in "the last Session of Parliament, intituled 'An Act for the Encouragement of "Seamen, and for the better and more effectual manning His Majesty's "Navy; and for making further Provisions for those Purposes;'" and also an Act made in the Twenty-first Year of the Reign of His present Majesty, intituled "An Act for the Encouragement of Seamen and the more speedy "and effectual manning His Majesty's Navy; and for the better Encouragement of Seamen for His Majesty's Navy."
37 Geo. 3. c. 109.	An Act to amend an Act made in the Thirty-third Year of the Reign of His present Majesty, intituled "An Act for the Encouragement of Seamen, and "for the better and more effectually manning His Majesty's Navy; and "for making further Provision for those Purposes."
38 Geo. 3. c. 38.	An Act for declaring the Validity of Two Orders in Council, dated the Sixth Day of August One thousand seven hundred and ninety-four and the Thirtieth Day of March One thousand seven hundred and ninety-eight; and for enlarging the Time of appealing in Prize Causes; and for permitting Appeals to be prosecuted after such Time shall have elapsed in such special Causes as His Majesty by any Order in Council shall authorize.
41 Geo. 3. (U.K.) c. 76.	An Act to authorize the issuing of Commissions and Letters of Marque and Reprisal against His Majesty's Enemies, to such Ships and Vessels belonging to His Majesty as are or may be employed in the Service of the Boards of Customs and Excise, and other Public Boards in this Kingdom.
41 Geo. 3. (U.K.) c. 96.	An Act for the better Regulation of His Majesty's Prize Courts in the West Indies and America, and for giving a more speedy and effectual Execution of the Decrees of the Lords Commissioners of Appeals.

43 Geo. 3. c. 134.	An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in Great Britain, during Hostilities.
43 Geo. 3. c. 160.	An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy; for regulating the Payment of Prize Money; and for making Provision for the Salaries of the Judges of the Vice-Admiralty Courts in the Island of Malta, and in the Bermuda and Bahama Islands.
45 Geo. 3. c. 72.	An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy during the present War.
48 Geo. 3. c. 100.	An Act for extending the Provisions of an Act made in the Forty-seventh Year of His present Majesty, so far as respects the Payment of Prize Money arising from Captures made by Foreign in conjunction with British Ships, to Captures made by the Land Forces of Foreign States in conjunction with the British.
48 Geo. 3. c. 132.	An Act to extend the Provisions of an Act passed in the Forty-fifth Year of His present Majesty, for the Encouragement of Seamen and better manning His Majesty's Navy, to Cases arising in consequence of Hostilities commenced since the passing of the said Act.
49 Geo. 3. c. 123.	An Act to explain and amend an Act made in the Forty-fifth Year of His present Majesty, for the Encouragement of Seamen and for the better and more effectually manning His Majesty's Navy during the present War; and for the further Encouragement of Seamen; and for the better and more effectually providing for the Interest of the Royal Hospital for Seamen at Greenwich, and the Royal Hospital for Soldiers at Chelsea; and to extend the Provisions of the said Act to Cases arising in consequence of Hostilities commenced since the passing of the said Act.
53 Geo. 3. c. 63.	An Act to extend Two Acts of the Forty-fifth and Forty-ninth Years of His present Majesty to American Prizes.
54 Geo. 3. c. 93.	An Act for regulating the Payment of Navy Prize Money, and the Transmission of Accounts and Payment of Balances to Greenwich Hospital.
55 Geo. 3. c. 160.	An Act for the Encouragement of Seamen, and the more effectual manning of His Majesty's Navy during the present War.
57 Geo. 3. c. 118. in part.	An Act for authorizing the Executors or Administrators of deceased licensed Navy Agents to receive Prize Money, Bounty Money, and other Allowances of Money upon Orders given to such deceased Agents - - - } in part; namely, So far as the same relates to Licences for Receipt of Shares of any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.
57 Geo. 3. c. 127.	An Act to settle the Share of Prize Money, Droits of Admiralty, and Bounty Money payable to Greenwich Hospital, and for securing to the said Hospital all unclaimed Shares of Vessels found derelict, and of Seizures for Breach of Revenue, Colonial, Navigation, and Slave Abolition Laws.
58 Geo. 3. c. 64.	An Act to make further Regulations respecting the Payment of Navy Prize Money, and to authorize the Governors of Greenwich Hospital to pay over certain Shares of Prize Money due to Russian Seamen to His Excellency the Russian Ambassador.
59 Geo. 3. c. 56. in part.	An Act to make further Regulations as to the Payment of Navy Prize Orders - - - - - } in part; namely, So far as the same relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.
1 Geo. 4. c. 85. in part.	An Act to make further Provisions respecting Naval Prize Money - - - - - } in part; namely, So far as the same relates to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864.

10 Geo. 4. c. 25. in part.	An Act to provide for the better Management of the Affairs of Greenwich Hospital - - - - } in part; namely, Section Eight, so far as the same relates to Naval Prize Money, or to any Per-centage, Deduction, or Payment out of any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864, or to forfeited or unclaimed Shares or Balances of Prize Money, or to any Power, Authority, Right, or Duty relating to Naval Prize, or to any Accounts or Pains or Penalties in any Manner connected therewith.
10 Geo. 4. c. 26. in part.	An Act for transferring the Management of Greenwich Out-Pensioners and certain Duties in Matters of Prize to the Treasurer of the Navy - - - - } in part; namely, Section Seventeen and subsequent Sections to the End of the Act, so far as the same respectively relate to forfeited or unclaimed Shares or Balances of Prize Money, or to any Per-centage, Deduction, or Payment out of Proceeds of Prizes, or out of Grants to the Royal Navy or Marines, or out of any other Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864, or to any Power, Authority, Duty, Account, Matter, or Thing concerning Naval Prize Money, or concerning any Grant or other Money distributable as aforesaid, or concerning the Payment, Receipt, or Distribution of or the accounting for the same or any Part thereof, or otherwise in any Manner concerning Naval Prize or Capture.
11 Geo. 4. & 1 Will. 4. c. 20. in part.	An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy - - - - } in part; namely, Section Sixty-six wholly, and the following Sections respectively so far as they relate to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864; namely, Sections Twenty-two and Forty-seven, Sections Forty-eight to Fifty-two, both inclusive (except so far as the Five Sections last mentioned respectively relate to Wills or Administrations, or to deceased Officers, Seamen, or Marines), Sections Sixty, Sixty-seven, Seventy, Seventy-two, Seventy-eight, and Seventy-nine, and Sections Eighty-three and Eighty-four (except so far as the Two Sections last mentioned respectively relate to deceased Officers, Seamen, or Marines).
2 & 3 Will. 4. c. 40. in part.	An Act to amend the Laws relating to the Business of the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments - - - } in part; namely, Sections Twenty and Twenty-two wholly, and the following Sections respectively so far as they relate to any Money distributable among the Officers and Crew of any of Her Majesty's Ships of War within the Meaning of The Naval Agency and Distribution Act, 1864; namely, Sections Four, Eight, Nine, Nineteen, Twenty-one, and Twenty-nine.
13 & 14 Vict. c. 40.	An Act to regulate the Disposition of the Naval Prize Balance.
17 & 18 Vict. c. 18.	An Act for the Encouragement of Seamen, and the more effectual manning of Her Majesty's Navy during the present War.
17 & 18 Vict. c. 19. in part.	An Act for facilitating the Payment of Her Majesty's Navy, and the Payment and Distribution of Prize, Bounty, Salvage, and other Monies to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War; and for the better Regulation of the Accounts relating thereto - } :— Except Sections Ten, Eleven, and Twelve, and except Section Thirteen so far as it relates to the paying of the Navy and the keeping of Accounts and Expenses in relation thereto.
26 & 27 Vict. c. 116.	An Act to provide for the Appointment of Navy Prize Agents, and respecting their Duties and Remuneration.

Naval Prize Acts Repeal.

A

B I L L

[AS AMENDED IN COMMITTEE]

To repeal Enactments relating to Naval Prize of War and Matters connected therewith or with the Discipline or Management of the Navy.

(*Prepared and brought in by Lord Clarence Paget and Mr. Stansfeld.*)

Ordered by The House of Commons, *to be Printed*, 14 *April* 1864.

[Bill 64.]

Under 1 *oz.*

Naval and Victualling Stores Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short Title.
2. Extent of Act.
3. Interpretation.
4. 25 & 26 Vict. c. 64. repealed.
5. Marks in Schedule appropriated for Her Majesty's Naval and Victualling Stores. Imitation a Misdemeanour.
6. Obliteration with Intent to conceal Her Majesty's Property, Felony.
7. Knowingly receiving, &c. marked Stores a Misdemeanour.
8. Knowledge of Stores being marked presumed against Dealers, &c.
9. Offenders may be summarily convicted in certain Cases.
10. No Conviction where Proof that Stores were lawfully come by.
11. Effect of Conviction of Dealer in old Metals.
12. Persons not Dealers in Marine Stores, &c. found in possession of Naval or Victualling Stores, and not satisfactorily accounting for it, liable to Penalty.
13. Criminal Possession explained.
14. No unauthorized Person to creep, &c. for Stores within One hundred Yards of Dockyards, &c.
15. Parts of 24 & 25 Vict. c. 96. (Larceny) incorporated.
16. Admiralty alone to prosecute.
17. Penalties, &c. to be applied under Orders of Admiralty.
18. Saving for Indictment.

SCHEDULE.

A

B I L L

INTITULED

An Act for the more effectual Protection of Her Majesty's Naval and Victualling Stores.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title.

1. This Act may be cited as "The Naval and Victualling Stores Act, 1864."

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Interpretation.

3. In this Act—

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral :

The Term "Dealer in Marine Stores" means a Person bound to conform to the Regulations of The Merchant Shipping Act, 1854, Section Four hundred and eighty : 17 & 18 Vict. c. 104.

The Term "Dealer in old Metals" has the same Meaning as in The Old Metal Dealers Act, 1861 : 24 & 25 Vict. c. 110.

The Term "in Her Majesty's Service," when applied to Persons, applies also to Persons in the Employment of the Admiralty.

 4. The

25 & 26 Vict. c. 64. repealed as to future Offences.

4. The Naval and Victualling Stores Act, 1862, is hereby repealed; but this Repeal or anything in this Act shall not apply to or in respect of any Offence, Act, or Thing committed or done before the passing of this Act.

Marks in Schedule appropriated for Her Majesty's Naval and Victualling Stores.

5. The Marks described in the Schedule to this Act may be applied in or on Her Majesty's Naval and Victualling Stores to denote Her Majesty's Property in Stores so marked.

It shall be lawful for the Admiralty, their Contractors, Officers, and Workmen, to apply the said Marks or any of them in or on any such Stores as are described in the said Schedule.

Imitation a Misdemeanour.

If any Person, without Authority, applies any of the said Marks in or on any such Stores he shall be guilty of a Misdemeanour, and shall be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Obliteration, with Intent to conceal Her Majesty's Property, Felony.

6. If any Person, with Intent to conceal Her Majesty's Property in any Naval or Victualling Stores, takes out, destroys, or obliterates, wholly or in part, any such Mark as aforesaid, he shall be guilty of Felony, and shall be liable, in the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Four Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Knowingly receiving, &c. marked Stores a Misdemeanour.

7. If any Person receives, possesses, keeps, sells, or delivers any Naval or Victualling Stores bearing any such Mark as aforesaid, knowing them to bear such Mark, he shall be guilty of a Misdemeanour, and shall be liable to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Knowledge of Stores being marked presumed against Dealers, &c.

8. Where the Person charged with such a Misdemeanour as last aforesaid was at the Time at which the Offence is charged to have been committed a Dealer in Marine Stores, or a Dealer in Old Metals, or in Her Majesty's Service, Knowledge on his Part that the Stores to which the Charge relates bore such Mark as aforesaid shall be presumed until the contrary is shown.

Offenders may be summarily convicted in certain Cases.

9. Any Person charged with such a Misdemeanour as last aforesaid in relation to Stores the Value of which does not exceed Five Pounds shall be liable on summary Conviction before a Justice of the Peace to a Penalty not exceeding Twenty Pounds, or, in the Discretion of the Justice, to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

10. Pro-

No Conviction where Proof that Stores were lawfully come by.

10. Provided always, That no Person shall be liable to be convicted of such a Misdemeanour as last aforesaid who shows that he came by the Stores to which the Charge relates lawfully, and that he had no reasonable Cause for believing that the Person (if any) through whom he came by them had not come by them lawfully.

Effect of Conviction of Dealer in old Metals.

11. Every Conviction of a Dealer in old Metals for any Offence in this Act expressed to be a Felony or Misdemeanour shall, for the Purposes of Registration and its Consequences under The Old Metal Dealers Act, 1861, be equivalent to a Conviction under that Act.

Persons, not Dealers in Marine Stores, &c., found in possession of Naval or Victualling Stores, and not satisfactorily accounting for it, liable to Penalty.

12. In order to prevent a Failure of Justice in some Cases by reason of the Difficulty of proving Knowledge of the Fact that Stores bore such a Mark as aforesaid,—

If any Naval or Victualling Stores bearing any such Mark are found in the Possession of any Person not being a Dealer in Marine Stores or a Dealer in Old Metals, and not being in Her Majesty's Service, and such Person, when taken or summoned before a Justice of the Peace, does not satisfy the Justice that he came by the Stores so found lawfully, he shall be liable, on Conviction by the Justice, to a Penalty not exceeding Five Pounds; and if any such Person satisfies the Justice that he came by the Stores so found lawfully, the Justice, at his Discretion, as the Evidence given and the Circumstances of the Case require, may summon before him every Person through whose Hands such Stores appear to have passed, and if any such Person as last aforesaid who has had Possession thereof does not satisfy the Justice that he came by the same lawfully, he shall be liable, on Conviction by the Justice, to a Penalty not exceeding Five Pounds.

Criminal Possession explained.

13. For the Purposes of this Act, Stores shall be deemed to be in the Possession or Keeping of any Person if he knowingly and wilfully has them in the actual Possession or Keeping of any other Person, or in any House, Building, Lodging, Apartment, Field, or Place, open or inclosed, whether occupied by himself or not, and whether the same be so had for his own Use or Benefit or for the Use or Benefit of another.

No unauthorized Person to creep, &c. for Stores within 100 Yards of Dockyards, &c.

14. It shall not be lawful for any Person, without Permission in Writing from the Admiralty or from some Person authorized by the Admiralty in that Behalf, to creep, sweep, dredge, or otherwise search for Stores in the Sea or any Tidal Water within One hundred Yards from any Vessel belonging to Her Majesty or in Her Majesty's Service, or from any Mooring Place or Anchoring Place appro-

appropriated to such Vessels, or from any Moorings belonging to Her Majesty, or from any of Her Majesty's Wharves, or Dock, Victualling, or Steam Factory Yards.

If any Person acts in contravention of this Provision, he shall be liable, on summary Conviction before a Justice of the Peace, to a Penalty not exceeding Five Pounds, or to be imprisoned for any Term not exceeding Three Months with or without Hard Labour.

Parts of 24 & 25 Vict. c. 96. (Larceny) incorporated.

15. The following Sections of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter Ninety-six), "to consolidate and amend the Statute Law of England "and Ireland relating to Larceny and other similar Offences," shall be incorporated with this Act, and shall for the Purposes of this Act be read as if they were here re-enacted, namely, Sections Ninety-eight to One hundred, One hundred and three, One hundred and five, One hundred and seven to One hundred and thirteen, and One hundred and fifteen to One hundred and twenty-one, all inclusive; and for this Purpose the Expression "this Act," when used in the said incorporated Sections, shall be taken to include the present Act.

Admiralty alone to prosecute.

16. It shall not be competent for any Person, other than the Admiralty, to institute or carry on under this Act any Prosecution or Proceeding for any Offence.

Penalties, &c. to be applied under Orders of Admiralty.

17. Notwithstanding anything in any Act relating to Municipal Corporations or to the Metropolitan Police Force or in any other Act, any pecuniary Penalty or other Money recovered under this Act shall be paid or applied as the Admiralty direct.

Saving for Indictment.

18. Nothing in this Act shall prevent any Person from being indicted under this Act or otherwise for any indictable Offence made punishable on summary Conviction by this Act, or prevent any Person from being liable under any other Act or otherwise to any other or higher Penalty or Punishment than is provided for any Offence by this Act, so that no Person be punished twice for the same Offence.

SCHE-

SCHEDULE.

MARKS appropriated for Her Majesty's Use in or on Naval and Victualling Stores.

Stores.	Marks.
Hempen Cordage and Wire Rope -	Coloured Worsted Threads laid up with the Yarns and the Wire respectively.
Canvas, Fearnought, Hammocks, and Seamen's Bags.	A Blue Line in a Serpentine Form.
Buntin - - - - -	A double Tape in the Warp.
Candles - - - - -	A Blue or Red Cotton Thread in each Wick.
Timber, Metal, and other Stores not before enumerated.	The Broad Arrow.

Naval and Victualling Stores.

A

BILL

INTITULED

An Act for the more effectual Protection of Her Majesty's Naval and Victualling Stores.

(*Brought from the Lords* 12 *May* 1864.)

Ordered, by The House of Commons, *to be Printed*, 15 *June* 1864.

[Bill 151.]

Under 1 *oz.*

Naval and Victualling Stores Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short Title.
2. Extent of Act.
3. Interpretation.
4. 25 & 26 Vict. c. 64. repealed.
5. Marks in Schedule appropriated for Her Majesty's Naval and Victualling Stores. Imitation a Misdemeanour.
6. Obliteration with Intent to conceal Her Majesty's Property, Felony.
7. Knowingly receiving, &c. marked Stores a Misdemeanour.
8. Knowledge of Stores being marked presumed against Dealers, &c.
9. Offenders may be summarily convicted in certain Cases.
10. Effect of Conviction of Dealer in old Metals.
11. Persons not Dealers in Marine Stores, &c. found in possession of Naval or Victualling Stores, and not satisfactorily accounting for it, liable to Penalty.
12. Criminal Possession explained.
13. No unauthorized Person to creep, &c. for Stores within One hundred Yards of Dockyards, &c.
14. Parts of 24 & 25 Vict. c. 96. (Larceny) incorporated.
15. Admiralty alone to prosecute.
16. Penalties, &c. to be applied under Orders of Admiralty.
17. Saving for Indictment.

SCHEDULE.

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act for the more effectual Protection of Her Majesty's Naval and Victualling Stores.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title.

1. This Act may be cited as The Naval and Victualling Stores Act, 1864.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Interpretation.

3. In this Act—

The Term " the Admiralty " means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral :

The Term " Dealer in Marine Stores " means a Person bound to conform to the Regulations of The Merchant Shipping Act, 1854, Section Four hundred and eighty : 17 & 18 Vict. c. 104.

The Term " Dealer in old Metals " has the same Meaning as in The Old Metal Dealers Act, 1861 : 24 & 25 Vict. c. 110.

The Term "in Her Majesty's Service," when applied to Persons, applies also to Persons in the Employment of the Admiralty:

The Term "Stores" includes any single Store or Article.

25 & 26 Vict. c. 64. repealed as to future Offences.

4. The Naval and Victualling Stores Act, 1862, is hereby repealed; but this Repeal or anything in this Act shall not apply to or in respect of any Offence, Act, or Thing committed or done before the passing of this Act.

Marks in Schedule appropriated for Her Majesty's Naval and Victualling Stores.

5. The Marks described in the Schedule to this Act may be applied in or on Her Majesty's Naval and Victualling Stores to denote Her Majesty's Property in Stores so marked.

It shall be lawful for the Admiralty, their Contractors, Officers, and Workmen, to apply the said Marks or any of them in or on any such Stores as are described in the said Schedule.

Imitation a Misdemeanour.

If any Person, without lawful Authority (Proof of which Authority shall lie on the Party accused), applies any of the said Marks in or on any such Stores he shall be guilty of a Misdemeanour, and shall be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Obliteration, with Intent to conceal Her Majesty's Property, Felony.

6. If any Person, with Intent to conceal Her Majesty's Property in any Naval or Victualling Stores, takes out, destroys, or obliterates, wholly or in part, any such Mark as aforesaid, he shall be guilty of Felony, and shall be liable, in the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Four Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Knowingly receiving, &c. marked Stores a Misdemeanour.

7. If any Person, without lawful Authority (Proof of which Authority shall lie on the Party accused), receives, possesses, keeps, sells, or delivers any Naval or Victualling Stores bearing any such Mark as aforesaid, knowing them to bear such Mark, he shall be guilty of a Misdemeanour, and shall be liable to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Knowledge of Stores being marked presumed against Dealers, &c.

8. Where the Person charged with such a Misdemeanour as last aforesaid was at the Time at which the Offence is charged to have been committed a Dealer in Marine Stores, or a Dealer in Old Metals, or in Her Majesty's Service, Knowledge on his Part that the Stores to which the Charge relates bore such Mark as aforesaid shall be presumed until the contrary is shown.

9. Any

Offenders may be summarily convicted in certain Cases.

9. Any Person charged with such a Misdemeanour as last aforesaid in relation to Stores the Value of which does not exceed Five Pounds shall be liable on summary Conviction before a Justice of the Peace to a Penalty not exceeding Twenty Pounds, or, in the Discretion of the Justice, to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Effect of Conviction of Dealer in old Metals.

10. Every Conviction of a Dealer in old Metals for any Offence in this Act expressed to be a Felony or Misdemeanour shall, for the Purposes of Registration and its Consequences under The Old Metal Dealers Act, 1861, be equivalent to a Conviction under that Act.

Persons, not Dealers in Marine Stores, &c., found in possession of Naval or Victualling Stores, and not satisfactorily accounting for it, liable to Penalty.

11. In order to prevent a Failure of Justice in some Cases by reason of the Difficulty of proving Knowledge of the Fact that Stores bore such a Mark as aforesaid,—

If any Naval or Victualling Stores bearing any such Mark are found in the Possession of any Person not being a Dealer in Marine Stores or a Dealer in Old Metals, and not being in Her Majesty's Service, and such Person, when taken or summoned before a Justice of the Peace, does not satisfy the Justice that he came by the Stores so found lawfully, he shall be liable, on Conviction by the Justice, to a Penalty not exceeding Five Pounds; and if any such Person satisfies the Justice that he came by the Stores so found lawfully, the Justice, at his Discretion, as the Evidence given and the Circumstances of the Case require, may summon before him every Person through whose Hands such Stores appear to have passed, and if any such Person as last aforesaid who has had Possession thereof does not satisfy the Justice that he came by the same lawfully, he shall be liable, on Conviction by the Justice, to a Penalty not exceeding Five Pounds.

Criminal Possession explained.

12. For the Purposes of this Act, Stores shall be deemed to be in the Possession or Keeping of any Person if he knowingly has them in the actual Possession or Keeping of any other Person, or in any House, Building, Lodging, Apartment, Field, or Place, open or inclosed, whether occupied by himself or not, and whether the same are so had for his own Use or Benefit or for the Use or Benefit of another.

No unauthorized Person to creep, &c. for Stores within 100 Yards of Dockyards, &c.

13. It shall not be lawful for any Person, without Permission in Writing from the Admiralty or from some Person authorized by the Admiralty in that Behalf, to creep, sweep, dredge, or otherwise search for Stores in the Sea or any Tidal Water within One hundred Yards from any Vessel belonging to Her Majesty or in Her Majesty's Service, or from any Mooring Place or Anchoring Place appro-

appropriated to such Vessels, or from any Moorings belonging to Her Majesty, or from any of Her Majesty's Wharves, or Dock, Victualling, or Steam Factory Yards.

If any Person acts in contravention of this Provision, he shall be liable, on summary Conviction before a Justice of the Peace, to a Penalty not exceeding Five Pounds, or to be imprisoned for any Term not exceeding Three Months with or without Hard Labour.

Parts of 24 & 25 Vict. c. 96. (Larceny) incorporated.

14. The following Sections of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter Ninety-six), "to consolidate and amend the Statute Law of England "and Ireland relating to Larceny and other similar Offences," shall be incorporated with this Act, and shall for the Purposes of this Act be read as if they were here re-enacted, namely, Sections Ninety-eight to One hundred, One hundred and three, One hundred and five, One hundred and seven to One hundred and thirteen, and One hundred and fifteen to One hundred and twenty-one, all inclusive; and for this Purpose the Expression "this Act," when used in the said incorporated Sections, shall be taken to include the present Act.

Admiralty alone to prosecute.

15. It shall not be competent for any Person, other than the Admiralty, to institute or carry on under this Act any Prosecution or Proceeding for any Offence.

Penalties, &c. to be applied under Orders of Admiralty.

16. Notwithstanding anything in any Act relating to Municipal Corporations or to the Metropolitan Police Force or in any other Act, any pecuniary Penalty or other Money recovered under this Act shall be paid or applied as the Admiralty direct.

Saving for Indictment.

17. Nothing in this Act shall prevent any Person from being indicted under this Act or otherwise for any indictable Offence made punishable on summary Conviction by this Act, or prevent any Person from being liable under any other Act or otherwise to any other or higher Penalty or Punishment than is provided for any Offence by this Act, so that no Person be punished twice for the same Offence.

SCHE-

SCHEDULE.

MARKS appropriated for Her Majesty's Use in or on Naval and Victualling Stores.

Stores.	Marks.
Hempen Cordage and Wire Rope -	White, Black, or Coloured Worsted Threads laid up with the Yarns and the Wire respectively.
Canvas, Fearnought, Hammocks, and Seamen's Bags.	A Blue Line in a Serpentine Form.
Buntin - - - - -	A double Tape in the Warp.
Candles - - - - -	Blue or Red Cotton Threads in each Wick, or Wicks of Red Cotton.
Timber, Metal, and other Stores not before enumerated.	The Broad Arrow.

Naval and Victualling Stores.

A

BILL

[AS AMENDED IN COMMITTEE]

INTITULED

An Act for the more effectual Protection of Her Majesty's Naval and Victualling Stores.

(*Brought from the Lords* 12 *May* 1864.)

Ordered, by The House of Commons, *to be Printed*, 27 *June* 1864.

[Bill 178.]

Under 1 *oz.*

A

BILL

TO

Guarantee the Liquidation of a Loan for the Service of the Colony of New Zealand.

Preamble.

WHEREAS by an Act of the General Assembly of New Zealand passed in the Twenty-seventh Year of Her Majesty, intituled "An Act for raising a Loan of Three "million Pounds Sterling for the Public Service of the Colony of "New Zealand," it was enacted, that it should be lawful for the Governor of New Zealand to appoint the Agent or Agents therein mentioned, with Authority to borrow and raise on behalf of the said Colony such Sum or Sums of Money not exceeding in all Three million Pounds Sterling as the said Governor might direct: And whereas it is expedient that the Commissioners of Her Majesty's Treasury should be authorized to guarantee the Payment of Interest and Repayment of the Principal of Part of the Sum so to be borrowed, not exceeding the Amount of One million Pounds Sterling, upon the Conditions herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sums borrowed under recited Act of General

1. The Liquidation of all such Sums, not exceeding in the whole the Sum of *One million Pounds*, as shall be borrowed and raised in Great Britain, with the Approbation of the Commissioners of

Assembly of New Zealand, not exceeding 1,000,000*l.* and Interest, guaranteed under this Act.

Her Majesty's Treasury, under the said first-recited Act of the General Assembly of New Zealand, or of any Act passed in Amendment of the same, together with the Interest thereon not exceeding the yearly Rate of *Four Pounds* for One hundred Pounds, shall be guaranteed under this Act; and for giving Effect to such Guarantee it shall be lawful for the Commissioners of Her Majesty's Treasury to direct and cause to be issued and paid out of the growing Produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland such Sums as shall be required to make good any Deficiency which shall happen in the regular Payment, on the Part of New Zealand, of the Interest accruing due upon such Sums as shall be borrowed as aforesaid, or in the Liquidation of the Principal Sums when the same shall become payable.

Treasury not to approve of the borrowing of 1,000,000*l.* until certain Provision is made.

2. Provided nevertheless, that it shall not be lawful for the Commissioners of Her Majesty's Treasury to approve the borrowing and raising of the herein-before mentioned Principal Sum of *One million Pounds*, or any Part thereof, until Provision shall have been made by the General Assembly of New Zealand to the following Effect; that is to say,

1. That every Part of the said Principal Sum shall be repayable and repaid at the Expiration of *Thirty Years* at the furthest from the Day on which such Part shall have been borrowed and raised:
2. That for the Purpose of providing a Sinking Fund for the Liquidation of the said Principal Sums, a Sum equal at the least to *Two per Cent.* per Annum on the Total of such Principal Sums shall be paid yearly, and invested and increased by way of Accumulation in the Manner directed by the said first-recited Act in respect of the Sinking Fund therein provided for:
3. That the said Principal Sums and all Interest thereon shall be a Charge on the General Revenue of New Zealand, having Priority over all other Charges upon the said Revenue, except Charges created in virtue of an Act passed by the said General Assembly, intituled "The New Zealand Loan Act, 1856," and of an Act of Parliament passed in the Twenty-first Year of Her Majesty, intituled "An Act to "guarantee a Loan for the Service of New Zealand," or either of them, and that the said General Revenue shall for the Purposes of this Act be deemed to include all the Revenue which shall arise from Duties of Import and Export, from Post Office Receipts, and Supreme Court Fees, from the Disposal of Waste Lands of the Crown, and from all Taxes, Duties, Rates, and Imposts levied or to be levied by virtue of any Act of the General Assembly of New Zealand.

3. All

Advances out of Consolidated Fund to be charged on Revenues of New Zealand.

3. All the Sums which shall be so issued and paid out of the said Consolidated Fund in respect of the Interest of the Sums borrowed as aforesaid, or the Liquidation of the Principal Sums, with Interest upon the Sums so issued after the yearly Rate of *Five Pounds* for One hundred Pounds, to be computed from the several Times of issuing the same, shall be charged upon the general Revenue of the Colony of New Zealand as herein-before defined.

No Act of New Zealand varying the Security for the Money borrowed and Interest to be valid unless confirmed by Her Majesty in Council.

4. No Act passed by the Legislature of New Zealand in anywise discharging or varying the Security to be given in accordance with this Act, upon the Revenue arising from the Duties of Import and Export, and from the Disposal of Waste Lands of the Crown, for the Repayment of the Sums of Money borrowed as aforesaid, and the Interest thereon, shall be valid, unless such Act contain a Clause suspending the Operation of the same until Her Majesty's Pleasure shall have been taken thereon, and the same shall have been confirmed by Her Majesty, with the Advice of Her Privy Council, and a Proclamation of such Confirmation having been given shall have been made by the Governor or Person administering the Government of the said Colony.

Certificate of Amount paid out of Consolidated Fund to be sent to New Zealand.

5. The Commissioners of Her Majesty's Treasury shall from Time to Time certify to One of Her Majesty's Principal Secretaries of State the Amount so paid from Time to Time on account of the Interest or Principal of the Sums borrowed as aforesaid; and such Certificate shall be communicated to the Governor or Person administering the Government of New Zealand, and shall be by him communicated to the General Assembly of the said Colony; and such Certificate shall be conclusive Evidence of the Amount so paid out of the Consolidated Fund of the said United Kingdom, and of the Time when the same was paid on account of the Interest or Principal of the Sum so borrowed.

Accounts to be laid before Parliament.

6. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within *Fourteen Days* next after the Beginning of every Session, an Account of all Sums from Time to Time issued out of the Consolidated Fund of the said United Kingdom by virtue of this Act towards making good any such Deficiency as aforesaid, and also an Account of all Sums repaid by or recovered from New Zealand by reason of such Advance, with the Interest paid or recovered thereon.

Nothing in recited Act of New Zealand rendered

7. And whereas by an Act of the General Assembly of New Zealand passed in the Twenty-seventh Year of Her Majesty, intituled "An Act to enable the Governor to establish Settle-

"ments

void on account of any Repugnancy to 20 & 21 Vict. c. 51.

" ments for Colonization in the Northern Island of New Zealand," Provision was made for the Proclamation of certain Districts within the said Colony, and for setting apart within such Districts eligible Sites for Settlements for Colonization, and for other Matters therein mentioned: And whereas Doubts are entertained whether the Provisions of the said Act, or some of them, may not be void by reason of their Repugnancy to the Third Section of an Act of Parliament of the Twentieth and Twenty-first Years of Her Majesty, intituled "An Act to guarantee a Loan for the Service of New Zealand:" Be it enacted as follows:

Nothing in the said Act to enable the Governor to establish Settlements for Colonization in the Northern Island of New Zealand shall be or be deemed to have been void or inoperative on account of any Repugnancy to any of the Provisions of the last-mentioned Act of Parliament.

New Zealand (Guarantee of Loan).

A

B I L L

To guarantee the Liquidation of a Loan for the Service of the Colony of New Zealand.

(Prepared and brought in by Mr. Massey, Mr. Secretary Cardwell, and Mr. Fortescue.)

Ordered by The House of Commons, *to be Printed,* 14 *June* 1864.

[Bill 150.] †

Under 1 *oz.*

Partnership Law Amendment Bill.

ARRANGEMENT OF CLAUSES.

Short Title; Sect. 1.

Interpretation of Terms; 2.

A Limited Partnership may be formed; 3.

Any Person lending Money to General Partners on certain Terms, to be a Limited Partner; 4.

A Limited Partner liable to Creditors only to the Extent aftermentioned; 5.

Suit for winding up Limited Partnership; 6.

Injunction may issue; 7.

Liability of Limited Partners in winding up; 8.

Certain Particulars as to Loan to be registered; 9.

The Registrar of Joint Stock Companies to be Registrar under this Act; 10.

Loans to be registered within Fourteen Days. No Person entitled to the Benefit of this Act, unless Sums paid or advanced at the Time specified in the Registration; 11.

Money not to be repaid before the Time specified in the Register; 12.

Cases in which a Limited Partner may become a General Partner; 13.

Dissolution of Limited Partnership. Liability of Representatives of Limited Partner; 14.

On Dissolution of Limited Partnership, new Contract for loan may be made; 15.

Limited Partner may make further Loan; 16.

On Dissolution of Limited Partnership by mutual Consent, an Entry of Dissolution shall be appended to the Registration, and inserted in Gazette; 17.

Clerks may be paid by Portion of Profits without thereby becoming Partners. The Clerk not to acquire Rights of General Partner, except the Right to ascertain the Amount of Profits; 18.

Persons required to cause Registration to sign a Statement of Particulars to be registered; 19.

Provision of Sect. 174. of the Companies Act, 1862, to apply to Registration under this Act; 20.

Register Books to be open. Certified Copies of Documents and Entries to be Evidence; 21.

All Applications to Registrar may be sent by Post; 22.

All Fees may be paid by Post Office Order; 23.

Persons forging Signature of Registrar, &c., to be guilty of Felony; 24.

Partnerships may sue or be sued as such; 25.

Service of Writs, &c.; 26.

Actions not to abate by Changes in the Firm; 27.

Execution against Partners of dissolved Partnership; 28.

Execution to be issued in the first Place against Partnership Assets; 29.

Execution in the second Place against Partners; 30.

Execution to be issued only by leave of the Court or Judge; 31.

Parties to furnish Names of Partners; 32.

Persons convicted of making false Statement to be guilty of Perjury; 33.

Act not to apply to Scotland; 34.

A

B I L L

TO

Amend the Law of Partnership.

BE it enacted by the Queen's most excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows : Preamble.

1. This Act may be cited as the "Partnership Law Amendment Act, 1864." Short Title.

2. In the Construction of this Act the following Words shall be construed as herein-after mentioned : Interpretation of Terms.

"Business" shall mean any Business of Commerce, Trade, Manufacture, or any Calling capable of being carried on in Copartnership, whether carried on by One Person or by more than One Person in Copartnership : "Business."

"General Partner" shall have the same Signification as the Word "Partner" had previously to the passing of this Act : "General Partner."

"Limited Partnership" shall mean any Partnership which shall contain One or more Limited Partners : "Limited Partnership."

"The Plaintiff Partnership" shall mean any Partnership suing as Plaintiffs or Petitioners in the Name of the Firm under the Provisions "Plaintiff Partnership."

Provisions of this Act, and any Partnership or Person who may at any Time during the pending of the Action, Suit, or other Proceedings carry on the same Business as the Partnership so suing:

"The Defendant Partnership." "The Defendant Partnership" shall mean any Partnership or Person carrying on Business as a Firm being sued as Defendants or Respondents in the Name of the Firm under the Provisions of this Act, and any Partnership or Person who may at any Time during the pending of the Action, Suit, or other Proceeding carry on the same Business as the Partnership or Person so sued:

"Partnership Assets." "Partnership Assets" shall include or mean any Lands, Hereditaments, Goods, and Effects to which any general Partners may be jointly entitled by virtue of the Partnership, and also any Lands, Hereditaments, Goods, and Effects of any individual general Partner, or of any Individual carrying on Business as a Firm, or used by him in or about or in connection with the business:

"Share of Profits." "Share of Profits" shall include not only a Share of Profits properly so called, but any Payment varying with, or dependent upon or payable out of the Profits of a Business, whether the same be payable in One Sum or more, or at certain or uncertain Times:

"Lending Money." Any Person shall be construed to "lend Money," within the Meaning of this Act, who shall either advance Money to a Business, or who, being entitled, whether as a retiring Partner or otherwise, to demand and receive present Payment of the Value of any Share or Interest of or in the Capital or other Funds of a Business, shall, after the Value thereof shall have been ascertained between such Person and the Person or Persons liable to pay the same, allow the same to remain therein, or to be used by such Person or Persons for the Purposes of such Business:

"Suit." "Suit" shall include any Action, Suit, or other Proceeding in any Court of Law or Equity.

A limited Partnership may be formed. **3.** A Limited Partnership may, subject to the Provisions of this Act, be entered into between One or more General Partners, and One or more Limited Partners as herein-after defined.

Any Person lending Money to General Partners on certain Terms to be a limited Partner. **4.** Any Person who, subject to the Provisions of this Act, shall lend, or contract to lend Money to any General Partner or Partners upon any Contract under which he shall share Profits or Profits and Losses, shall thereupon become and be a Limited Partner with such General Partner or Partners; Provided always, that any such Contract in respect whereof the Provisions of this Act shall not be complied

complied with shall constitute the Person lending the Money a General Partner with the Person borrowing the same.

A Limited Partner liable to Creditors only to the Extent after mentioned.

5. A Limited Partner shall not be liable to Creditors of the Limited Partnership except to the Extent and in manner hereinafter mentioned.

Suit for winding up limited Partnership.

6. The High Court of Chancery in England, and the Court of Chancery in Ireland, may, at the Suit of any Creditor or Partner of, or in a Limited Partnership, entertain a Suit for the winding up of any Limited Partnership in any of the Cases following (that is to say):

(1.) Whenever Execution or other Process issued on a Judgment, Decree, or Order obtained in any Court in favour of any Creditor at Law or in Equity in any Suit instituted by such Creditor against the General Partner or Partners is returned unsatisfied in whole or in part;

(2.) Whenever the General Partner or all the General Partners (if there be more than One) has or have been adjudicated Bankrupt; or,

(3.) Whenever it is proved to the Satisfaction of the Court that the General Partner or all the General Partners (if there be more than One) is or are unable to pay his or their Debts.

Injunctions may issue.

7. The Court of Chancery may, at any Time after the Institution of such Suit as last aforesaid, and before or after Decree, restrain further Proceedings in any Suit against the General Partner or Partners upon such Terms (if any) as the Court may think fit.

Liability of Limited Partners in winding up.

8. In the event of any Limited Partnership being wound up in any such Suit as aforesaid, every present and past Limited Partner shall be liable to contribute to the Assets of the Limited Partnership to an Amount sufficient for Payment of the Debts and Liabilities of the Limited Partnership and the Costs of the said Suit, and the Payment of such Sums as may be required for the Adjustment of the Rights of the Limited Partners amongst themselves with the Qualifications following:

(1.) No past Limited Partner shall be liable to contribute in respect of any Debt or Liability contracted after the Time at which he ceased to be a Limited Partner;

(2.) No Limited Partner shall be liable to contribute to an Amount exceeding the Amount (if any) unpaid by him of the Loan contracted to be made by him to the General Partner or Partners;

(3.) No Sum due to any Limited Partner in his Character as such by way of Profits or otherwise shall be deemed to be a Debt of the Partnership payable to such Limited Partner in a Case of Competition between himself and any other Creditor not being a Limited Partner of the Partnership; but any such Sum may be taken into Account for the Purposes of the final Adjustment of the Rights of the Partners amongst themselves.

Certain Particulars as to such Loan to be registered.

9. In order to entitle any Persons to constitute a Limited Partnership under this Act, the following Particulars shall be registered in the Manner herein-after provided:

(1.) The Surname and Christian Name or other Name or Names in full, and the Place or Places of Residence of each of the Partners, and whether he be a General or a Limited Partner:

(2.) The Nature of the Business and of the Place or Places at which it is carried on or to be carried on:

(3.) The Name of the Firm in which the Business is or is to be carried on:

(4.) The Sum or Sums of Money lent or to be lent by each Limited Partner, the Time or Times at which such Sum or Sums shall have been or shall be so lent, and the Time or Times at which the same shall become or be repayable.

The Registrar of Joint Stock Companies to be Registrar under this Act.

10. The Registrar of Joint Stock Companies shall be the Registrar under this Act, and shall be called the Registrar of Joint Stock Companies and Partnerships.

Loans to be registered within 15 Days.

11. Every such Registration as aforesaid shall be effected within Fifteen Days after the Loans shall have been made, or the Contract for Loan entered into (as the Case may be).

Money not to be repaid before the Time specified in the Register.

12. Except in the Cases herein-after provided, no Repayments, Satisfaction, or new or additional Security shall in any Manner be made or given of or in respect of any Part of the Money lent under the Provisions of this Act before the Expiration of the Time or Times registered for Repayment as aforesaid.

Cases in which a Limited Partner shall become a General Partner.

13. A Limited Partner shall become a General Partner in the Firm, in any of the following Cases;

(1.) If he violate the Provisions of the foregoing Sections, or any of them;

(2.) If

(2.) If he do or suffer any Act, or Thing (other than Lending Money, as herein-before is provided, and ascertaining the Amount of the Profits or Losses of the Business), which previous to the passing of this Act would have rendered a Person doing or suffering the same a Partner or liable as a Partner in the Firm;

(3.) If under any Power of Attorney, Procuration, or Authority, he do or suffer any Act or Thing which if done without such Power of Attorney, Procuration, or Authority would have rendered him a General Partner;

(4.) If the Limited Partnership shall, with the Knowledge or Privity of the Limited Partner use as the Name of the the Firm any other Name than that registered;

(5.) If the registered Name of the Firm include the Name and Surname in full of any Limited Partner or any Name and Surname identical therewith.

Dissolution of Limited Partnership.

14. A Limited Partnership shall be dissolved as to any Limited Partner upon the Arrival of the Time at which the Sum of Money lent by such Limited Partner, or the latest Time at which any Portion or Instalment of such Sum becomes repayable to him, or by the Death or Bankruptcy of One or more of the General Partners, or by mutual Consent, or upon the General Partner or Partners ceasing to carry on the Business, or upon a Decree of the Court of Chancery for winding up; and the Executors or Administrators of any Limited Partner shall in all Cases, as such Executors and Administrators, and as respects the Assets of such deceased Limited Partner be subject to the same Liabilities as such Limited Partner would have been subject to if he had lived.

Liability of Representatives of Limited Partner.

On Dissolution of Limited Partnership, new Contract for Loan may be made.

15. Upon the Dissolution of any Limited Partnership any Person having been a Limited Partner therein may renew the said Loan upon the same or any new or varied Contract, and thereupon a fresh Registration shall be effected, and such Person shall thereupon again become a Limited Partner in respect of the Sum, and upon the Contract specified of the last-mentioned Registration.

Limited Partner may make further Loan.

16. It shall be lawful for any Limited Partner at any Time to lend any further Sum to the General Partner, or to extend the Period for which any subsisting Loan shall be made, and thereupon a fresh Registration shall be effected in respect of the Sum of Money already registered, as well as of the said further Loan, or the Particulars required by this Act to be registered of such extended Loan, as the Case may be, and an Entry shall be appended to the former Registration to the Effect that it is superseded.

 17. Upon

On Dissolution of Limited Partnership by mutual Consent an Entry of Dissolution shall be appended to the Registration, and inserted in Gazette.

17. Upon the Dissolution of any Limited Partnership by mutu a Consent. an Entry of such Dissolution shall, within Fifteen Days thereafter, be appended to the Registration of the Limited Partnership, and such Dissolution shall within the same Period be advertised in the London Gazette: Provided always, that until such Entry and Advertisement shall be made and published the Limited Partnership shall be deemed to continue so far as regards Third Persons.

Clerks may be paid by Portion of Profits without thereby becoming Partners.

The Clerk not to acquire Rights of General Partner except the Right to ascertain the Amount of Profits.

18. It shall be lawful for any Clerk, Manager, or Servant in the Employment of any Person engaged in any Business to receive or to contract to receive in Exclusion of or in addition to any fixed Salary or Wages, a Share of Profits, without thereby being or becoming subject to any Liabilities of a General Partner: Provided always, that no such Contract shall require Registration under this Act. Every Clerk, Manager, or Servant contracting to receive a Share of Profits shall in the Absence of Express Contract to the contrary be entitled to ascertain the Amount of the Profits of the Business; but except as aforsaid he shall not by reason of such Contract or Receipt of a Share of Profits, acquire any of the Rights of a General Partner.

Persons required to cause Registration to sign a Statement of Particulars to be registered.

19. In any Case in which Registration is required by this Act the Persons whose Duty it is to cause such Registration to be made, or One of them, shall sign, and send or deliver, or cause to be sent or delivered, to the Registrar a Statement in Writing containing the Particulars required to be registered; and such Signature shall be attested in England or Ireland by a Justice of the Peace or Attorney, and in Scotland by a Justice of the Peace, Notary, Writer to the Signet, Solicitor in the Supreme Courts, or Procurator before a Sheriff Court, and the Registrar shall keep and file the said Statement, and shall cause the said Particulars to be registered accordingly.

Provision of Sect. 174. of the Companies Act, 1862, to apply to Registration under this Act.

20. The Provisions of the One hundred and seventy-fourth Section of the Companies Act, 1862, shall apply to Registration under this Act, so far as the same are applicable, and except as herein-after provided; and the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct an Increase of Salary to be paid to the existing Registrar of Joint Stock Companies, and such additional Assistant Registrars, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution shall be appointed, at such a Salary as the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct; and the Board of Trade shall cause to be prepared and kept proper Books, Forms, and Indexes, for the Purpose of carrying this Act into execution, and may make such Regulations, and fix such Fees, and

from

from Time to Time vary or alter the same or any Part thereof, as they may deem expedient; and all Fees received under this Act shall be paid to the Receipt of Her Majesty's Exchequer, and be carried to the Account of the Consolidated Fund of the United Kingdom of Great Britain and Ireland; and all such Regulations and Fees, and any Alterations or Variations thereof, shall be published in the London Gazette, and shall take effect from the Time mentioned therein.

Register Books to be open.

21. The Register Books and Indexes to be kept under this Act shall be open at suitable Times to the Inspection of any Person requiring to inspect the same, on Payment of a proper Fee; and the Registrar shall furnish to every Person requiring it, upon Payment of a proper Fee, Copies of any Entry therein or of any Document filed under the Provisions of this Act; and any Document purporting to be a Copy certified by the said Registrar, or to be sealed with the Seal of his Office, shall be admissible in Evidence of the original Entry or Document of which it purports to be a Copy, without further Proof in any Civil Proceeding; and any Document so purporting to be a Copy of any original Document required by this Act to be kept and filed shall be primâ facie Evidence in any Civil Proceeding that the Original was signed, subscribed, and attested by the Person or Persons respectively purporting to have signed, subscribed, or attested the same.

Certified Copies of Documents and Entries to be Evidence.

All Applications to Registrar may be sent by Post.

22. All Applications to the Registrar for Registration or for Copies of any Registration, and all Documents required to be laid before such Registrar, may be sent by Post, if sufficiently stamped or prepaid; and all Certificates and Copies of any Registration shall be sent by Post by the Registrar to the Parties applying for such Certificates or Copies, if they shall so require, upon Payment of the Postage and of a proper Fee.

All Fees may be paid by Post Office Order.

23. All Fees payable for Registration under this Act, or for entering any Memorandum or Reference, or for any Copy of any Registration, may be sent by Post Office Order or Postage Stamps for the Payment of Money; and the Registrar shall not attend to any Application by Post for Registration or Copies, or otherwise, unless the same be accompanied by a Post Office Order or Orders for the full Amount required.

Person forging Signature of Registrar, &c., to be guilty of Felony.

24. Any Person who shall forge the Signature of the Registrar, or any Signature or Attestation required under this Act, or forge or counterfeit any Seal of the Office of the said Registrar, or knowingly utter, or put forth any such forged or counterfeit Signature, Attestation, or Seal, shall be guilty of Felony, and shall upon

Conviction be liable to Penal Servitude for any Term not exceeding *Ten Years* and not less than *Three Years*, or to Imprisonment with Hard Labour for any Term not exceeding *Two Years;* and any Person who shall, in the Statement of any Particulars required by this Act to be sent or delivered to the Registrar, wilfully state falsely any of the Matters or Things hereby required to be so stated shall be guilty of a Misdemeanour, and shall be liable upon Conviction to Fine or Imprisonment, with or without Hard Labour, for any Term not exceeding *Two Years*, or to such Fine and Imprisonment.

And whereas it is expedient to enable Persons carrying on Business in Copartnership to sue in the Name of the Firm, and to enable any Persons or Person carying on Business as a Firm to be sued in the Name of the Firm, be it enacted as follows:

Partnerships may sue and be sued as such.

25. Any Persons carrying on Business in Partnership (whether or not registered under this Act) may sue in the Name of the Partnership Firm, and any Persons or Person carrying on Business as a Firm (whether or not registered under this Act) may be sued in the Name of such Firm.

Service of Writs, &c.

26. Service of any Writ, Summons, Process, Notice, Order, or other Proceeding or Document relating to any Suit instituted under the last preceding Section of this Act, on any General Partner of the Plaintiff or Defendant Partnership or the Person constituting the Defendant Partnership at any Place, or on any Person being or appearing to be in the Employment of the Plaintiff or Defendant Partnership, at the Place or any One of the Places of Business of the Plaintiff or Defendant Partnership, shall be good Service: Provided always, that it shall be lawful for the Court in which any such Suit may be depending, or a Judge thereof, to make such Orders as to the Manner of such Service as any Change in the Plaintiff or Defendant Partnership or any other Circumstances may require.

Action not to abate by Changes in the Firm.

27. No Suit in which any Plaintiff or Defendant Partnership may sue or be sued as such shall abate or be rendered defective or otherwise affected by any of the Circumstances following; (that is to say,)

1. The Dissolution of the Partnership; or
2. Any Change of the Persons so suing or Persons or Person being so sued, so long as some Person or Persons shall continue to carry on the same Business.

Execution against Partners of

28. If in any such Suit as aforesaid any Judgment, Decree, or Order shall be given or made against or upon any Defendant or Plaintiff

Plaintiff Partnership which has been dissolved pending such Suit, Execution may, upon such Order as is in that Behalf herein-after provided being made, be issued, as the Case may require, against the Lands, Goods, or Bodies of all or any of the Persons following (that is to say):— dissolved Partnerships.

1. The General Partners of the Plaintiff Partnership at the Time that the Cause of Suit arose, or at any subsequent Time:
2. The General Partners of the Defendant Partnership at the Time that the Cause of Suit arose.

29. If in any such Suit as aforesaid any Judgment, Decree, or Order shall be given or made against or upon any Defendant or Plaintiff Partnership which has not been dissolved pending such Suit, Execution on such Judgment, Decree, or Order shall, in the first place, be issued against the Partnership Assets of the Defendant or Plaintiff Partnership. Execution to be issued in the first place against Partnership Assets.

30. If any Execution be issued against any Partnership Assets under the last Section of this Act, and if there cannot be found sufficient whereon to levy such Execution, then such Execution may be issued, as the Case may require, against the separate or private Lands and Goods, or against the Bodies of all or any of the Persons following; (that is to say,) Execution in the second place against Partners.

1. The General Partners of the Plaintiff Partnership at the Time that the Cause of Suit arose, or at any subsequent Time:
2. The General Partners of or the Person constituting the Defendant Partnership at the Time that the Cause of Suit arose.

31. No Execution shall be issued against the Lands, Goods, or Bodies of any General Partner or Partners, past or present, of any Defendant or Plaintiff Partnership, or the Person constituting any Defendant Partnership, except by Leave of the Court in which such Judgment, Decree, or Order shall have been obtained, or of a Judge of such Court, upon Motion or Summons for a Rule to show Cause or other Motion or Summons consistent with the Practice of the Court without any Suggestion or Scire facias in that Behalf; and it shall be lawful for such Court or Judge to make absolute or discharge such Rule, or allow or dismiss such Motion, as the Case may be, and to decree the Costs of the Application to be paid by either Party, or to make such other Order therein as to such Court or Judge shall seem fit; and in such Case such Execution to be issued only by Leave of Court or Judge.

Forms of Writ or Execution shall be sued out of the Court of Law and Equity respectively, for giving Effect to the Provision in that Behalf aforesaid, as the Judges of such Courts respectively shall from Time to Time think fit to order, and the Execution of such Writs shall be enforced in such Manner as Writs of Execution are now enforced.

Parties to furnish Names of Partners.

32. For the Purpose of ascertaining the Names and Addresses of the Persons or Person to be charged under the previous Sections of this Act, it shall be lawful for the Defendant or Plaintiff in any Suit instituted under the Provisions of this Act, at any Stage of such Suit, by Writing, to require the Plaintiff or Defendant, Partnership (as the Case may be,) or the Attorney or Solicitor for such Plaintiff or Defendant Partnership, to state in Writing the Names and Addresses of the General Partner or Partners, past and present, of the Partnership, or the Person constituting the Defendant Partnership; and in default of Compliance with such Request within Four clear Days, the Court in which such Suit shall have been instituted may make such Order in the Premises and as to the Costs of the Order as the Justice of the Case may require.

Persons convicted of making false Statement to be guilty of Perjury.

33. If any Person making any Statement under the last preceding Section of this Act shall be lawfully convicted of having wilfully, falsely, and corruptly made such Statement or any Part thereof, which if the same Statement had been made on Oath would have amounted to wilful and corrupt Perjury, he shall incur the same Penalties and Forfeitures as by the Laws and Statutes of this Realm are enacted against Persons convicted of wilful and corrupt Perjury.

Act not to include Scotland.

34. This Act shall not extend to Scotland unless when otherwise expressly provided.

Partnership Law Amendment.

A

BILL

To amend the Law of Partnership.

(Prepared and brought in by Mr. Scholefield, Mr. Murray, and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Printed,* 14 *April* 1864.

[Bill 68.]

Under 2 oz.

Penal Servitude Acts Amendment Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Short Title of Acts; Sect. 1.

Length of Sentences of Penal Servitude; 2.

Punishment of Offences in Convict Prisons; 3.

Forfeiture of Licence; 4.

Offences by Holders of a Licence; 5.

Apprehension of Holder of Licence without Warrant; 6.

Summary Punishment of Offences; 7.

Where Holders of Licence is summarily convicted correcting Magistrate to forward Certificate to Secretary of State or Lord Lieutenant of Ireland; 8.

Effect of Forfeiture or Revocation of Licence; 9.

SCHEDULES.

A

B I L L

TO

Amend the Penal Servitude Acts.

WHEREAS Two Acts were passed, the one Chapter Ninety-nine in the Session of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, and the other Chapter Three in the Session of the Twentieth and Twenty-first Years of the same Reign, having for their Object the Substitution of other Punishments in lieu of Transportation: And whereas it is expedient to amend the said Acts: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble. 16 & 17 Vict. c. 99. 20 & 21 Vict. c. 3.

1. This Act shall be construed as One with the above-mentioned Acts, and the said Acts, together with this Act, may be cited for all Purposes as the Penal Servitude Acts, 1853, 1857, and 1864, and each of the said Acts may be cited as the Penal Servitude Act of the Year in which it was passed. Short Title of Acts.

Sentences of Penal Servitude.

2. After the *passing of this Act* no Prisoner shall be sentenced to Penal Servitude for a Period of less than *Five* Years, and where under Length of Sentences of Penal Servitude.

under any Act now in force a Period of less than Five Years is the utmost Sentence of Penal Servitude that can be awarded, a Period of *Five Years* shall in such Act be substituted for the less Period; and where under any Act now in force a Period of either less or more than Five Years may be awarded as a Sentence of Penal Servitude, the least Sentence of Penal Servitude that can be awarded under that Act shall be a Period of *Five Years*.

Convict Prisons.

Punishment of Offences in Convict Prisons.

3. One of Her Majesty's Principal Secretaries of State may, by Warrant under his Hand and Seal, empower any Two or more Justices of the Peace, to be named in such Warrant, acting for any County in which a Prison for the Reception of Convicts under Sentence of Penal Servitude is situate to order, from Time to Time, the Infliction of *corporal Punishment* on any Convict confined in such Prison, for an Offence committed by such Convict in such Prison, and against the Discipline thereof; and any Two or more Justices of the Peace thus empowered shall have the same Power of adjudicating on such Offences, and of ordering the Infliction of such Punishment, to be exercised under the same Conditions as One of the Directors of Convict Prisons would have, and no greater.

Licences.

Forfeiture of Licence.

4. A Licence granted under the said Penal Servitude Acts, or any of them, shall be in the Form set forth in Schedule (A.) to this Act annexed, and may be written, printed, or lithographed. If any Holder of a Licence granted under the said Penal Servitude Acts, or any of them, is convicted, either by the Verdict of a Jury, or upon his own Confession, of any indictable Offence, his Licence shall be forthwith forfeited by virtue of such Conviction.

Offences by Holders of a Licence.

5. If any Holder of a Licence granted under the said Penal Servitude Acts, or any of them,—

1. Fails to produce his Licence when required to do so by any Judge, Justice of the Peace, Sheriff, Sheriff Substitute, Police or other Magistrate before whom he may be brought charged with any Offence, or by any Constable or Officer of the Police in whose Custody he may be, and also fails to make any reasonable Excuse why he does not produce the same; or
2. Breaks any of the other Conditions of his Licence by an Act that is not of itself punishable either upon Indictment or upon summary Conviction;

He shall be deemed guilty of an Offence punishable summarily by Imprisonment for any Period not exceeding *Three Months*, with or without Hard Labour.

6. Any

Apprehension of Holder of Licence without Warrant.

6. Any Constable or Police Officer may, without Warrant, take into Custody any Holder of a Licence whom he may reasonably suspect of having committed any Offence, or having broken any of the Conditions of his Licence, and may detain him in Custody until he can be taken before a Justice of the Peace or other competent Magistrate, and dealt with according to Law.

Summary Punishment of Offences.

7. In England and Ireland any Offence under this Act punishable summarily may be prosecuted summarily before Two or more Justices; as to England, in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen Victoria, Chapter Forty-three, intituled "An Act "to facilitate the Performance of the Duties of Justices of the Peace "out of Sessions within England and Wales with respect to Summary "Convictions and Orders," or any Act amending the same; and as to Ireland, in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen Victoria, Chapter Ninety-three, intituled "An Act to con- "solidate and amend the Acts regulating the Proceedings of Petty "Sessions, and the Duties of Justices of the Peace out of Quarter "Sessions, in Ireland," or any Act amending the same.

In Scotland any Offence under this Act punishable summarily may be prosecuted upon Summary Conviction at the Instance of the Procurator Fiscal before any Sheriff or Sheriff Substitute, or before any Two Justices of the County, or before the Magistrates or any Police Magistrate of the Burgh in which the Offence is committed.

Where Holder of Licence is summarily convicted, convicting Magistrate to forward Certificate to Secretary of State or Lord Lieutenant of Ireland.

8. Where any Holder of a Licence granted under the said Penal Servitude Acts, or any of them, is convicted of an Offence punishable summarily under this or any other Act, the Justices, Sheriff, Sheriff Substitute, or other Magistrate convicting the Prisoner shall without Delay forward by Post a Certificate in the Form given in Schedule (B). to this Act annexed, if in England or Scotland to One of Her Majesty's Principal Secretaries of State, if in Ireland to the Lord Lieutenant or other Chief Governor of Ireland, and thereupon the Licence of the said Holder may be revoked in manner provided by the said Penal Servitude Acts.

Effect of Forfeiture or Revocation of Licence.

9. Where any Licence granted under the said Penal Servitude Acts or any of them is forfeited by a Conviction of any indictable Offence, or is revoked in pursuance of a summary Conviction under this Act or any other Act of Parliament, the Person whose Licence is forfeited or revoked shall, after undergoing any other Punishment to which he may be sentenced for the Offence in consequence of which his Licence is forfeited or revoked, further undergo a Term of

Penal Servitude equal to the Portion of his Term of Penal Servitude that remained unexpired at the Time of his Licence being granted, and shall, for the Purpose of his undergoing such last-mentioned Punishment, be removed from the Prison of any County, Borough, or Place in which he may be confined, to any Prison in which Convicts under Sentence of Penal Servitude may lawfully be confined, by Warrant under the Hand and Seal of any Justice of the Peace of the said County, Borough, or Place, and shall be liable to be there dealt with in all respects as if such Term of Penal Servitude had formed Part of his original Sentence.

SCHEDULE.

SCHEDULE (A.)

Order of Licence to a Convict made under the Statute.

Whitehall,

day of 18 .

HER MAJESTY is graciously pleased to grant to
who was convicted of at the
for the on the
and was then and there sentenced to be kept in Penal Servitude for the Term of and is now confined in the
Her Royal Licence to be at large in the United Kingdom from the Day of his Liberation under this Order during the remaining Portion of his said Term of Penal Servitude, unless the said shall before the Expiration of the said Term be convicted of some indictable Offence, in which Case such Licence will be immediately forfeited by Law, or unless it shall please Her Majesty sooner to revoke or alter such Licence.

This Licence is given subject to the Conditions endorsed upon the same, upon the Breach of any of which it will be liable to be revoked, whether such Breach is followed by a Conviction or not.

And Her Majesty hereby orders that the said
be set at Liberty within Thirty Days from the Date of this Order.

Given under my Hand and Seal.

Conditions..

1. The Holder shall preserve his Licence and produce it when called upon to do so by a Magistrate or Police Officer.

2. He shall abstain from any Violation of the Law.

3. He shall not habitually associate with notoriously bad Characters, such as reputed Thieves and Prostitutes.

4. He shall not lead an idle and dissolute Life, without visible Means of obtaining an honest Livelihood.

If his Licence is forfeited or revoked in consequence of a Conviction for any Offence, he will be liable to undergo a Term of Penal Servitude equal to the Portion of his Term of Years which remained unexpired when his Licence was granted, viz., the Term of Years.

SCHEDULE (B.)

Form of Certificate of Conviction of Holder of Licence.

I do hereby certify that *A.B.*, the Holder of a Licence under the Penal Servitude Acts, was on the Day of in the Year duly convicted by of the Offence of and sentenced to

C.D.,
Clerk to the said Justices.

Penal Servitude Acts Amendment.

A

BILL

To amend the Penal Servitude Acts.

(Prepared and brought in by Sir George Grey and Mr. Bruce.)

Ordered, by The House of Commons, *to be Printed,* 18 *February* 1864.

[Bil 23.]

Under 1 *oz.*

Penal Servitude Acts Amendment Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Preamble.

Short Title of Acts; Sect. 1.

Length of Sentences of Penal Servitude; 2.

Punishment of Offences in Convict Prisons; 3.

Forfeiture of Licence; 4.

Offences by Holders of a Licence; 5.

Apprehension of Holder of Licence without Warrant; 6.

Summary Punishment of Offences; 7.

Where Holders of Licence is summarily convicted correcting Magistrate to forward Certificate to Secretary of State] or Lord Lieutenant of Ireland; 8.

Effect of Forfeiture or Revocation of Licence; 9.

Licences may be granted in Form differing from that in Schedule (A.); 10.

SCHEDULES.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Penal Servitude Acts.

WHEREAS Two Acts were passed, the one Chapter Ninety-nine in the Session of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, and the other Chapter Three in the Session of the Twentieth and Twenty-first Years of the same Reign, having for their Object the Substitution of other Punishments in lieu of Transportation: And whereas it is expedient to amend the said Acts: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble. 16 & 17 Vict. c. 99. 20 & 21 Vict. c. 3.

1. This Act shall be construed as One with the above-mentioned Acts, and the said Acts, together with this Act, may be cited for all Purposes as the Penal Servitude Acts, 1853, 1857, and 1864, and each of the said Acts may be cited as the Penal Servitude Act of the Year in which it was passed. Short Title of Acts.

Sentences of Penal Servitude.

2. After the passing of this Act no Prisoner shall be sentenced to Penal Servitude for a Period of less than Five Years, and where under Length of Sentences of Penal Servitude.

under any Act now in force a Period of less than Five Years is the utmost Sentence of Penal Servitude that can be awarded, a Period of Five Years shall in such Act be substituted for the less Period; and where under any Act now in force a Period of either less or more than Five Years may be awarded as a Sentence of Penal Servitude, the least Sentence of Penal Servitude that can be awarded under that Act shall be a Period of Five Years.

Convict Prisons.

Punishment of Offences in Convict Prisons.

3. One of Her Majesty's Principal Secretaries of State may, by Warrant under his Hand and Seal, empower any Two or more Justices of the Peace, to be named in such Warrant, acting for any County in which a Prison for the Reception of Convicts under Sentence of Penal Servitude is situate to order, from Time to Time, the Infliction of corporal Punishment on any Convict confined in such Prison, for an Offence committed by such Convict in such Prison, and against the Discipline thereof; and any Two or more Justices of the Peace thus empowered shall have the same Power of adjudicating on such Offences, and of ordering the Infliction of such Punishment, to be exercised under the same Conditions as One of the Directors of Convict Prisons would have, and no greater.

Licences.

Forfeiture of Licence.

4. A Licence granted under the said Penal Servitude Acts, or any of them, may be in the Form set forth in Schedule (A.) to this Act annexed, and may be written, printed, or lithographed. If any Holder of a Licence granted in the Form set forth in the said Schedule (A.) is convicted, either by the Verdict of a Jury, or upon his own Confession, of any indictable Offence, his Licence shall be forthwith forfeited by virtue of such Conviction; or if any Holder of a Licence granted under the said Penal Servitude Acts, or any of them, who shall be at large in the United Kingdom, shall fail to report himself to the Chief Police Station of the Borough or Division where he shall be on his Arrival therein, and subsequently on the First Day of each Month, or shall change his Locality without having previously notified the same to the Police Station to which he last reported himself, he shall be deemed guilty of a Misdemeanor, and may be summarily convicted thereof, and his Licence shall be forthwith forfeited by virture of such Conviction.

Offences by Holders of a Licence.

5. If any Holder of a Licence granted in the Form set forth in the said Schedule (A.),—

1. Fails to produce his Licence when required to do so by any Judge, Justice of the Peace, Sheriff, Sheriff Substitute, Police or

or other Magistrate before whom he may be brought charged with any Offence, or by any Constable or Officer of the Police in whose Custody he may be, and also fails to make any reasonable Excuse why he does not produce the same; or

2. Breaks any of the other Conditions of his Licence by an Act that is not of itself punishable either upon Indictment or upon summary Conviction;

He shall be deemed guilty of an Offence punishable summarily by Imprisonment for any Period not exceeding Three Months, with or without Hard Labour.

Apprehension of Holder of Licence without Warrant.

6. Any Constable or Police Officer may, without Warrant, take into Custody any Holder of such a Licence whom he may reasonably suspect of having committed any Offence, or having broken any of the Conditions of his Licence, and may detain him in Custody until he can be taken before a Justice of the Peace or other competent Magistrate, and dealt with according to Law.

Summary Punishment of Offences.

7. In England and Ireland any Offence under this Act punishable summarily may be prosecuted summarily before Two or more Justices; as to England, in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen Victoria, Chapter Forty-three, intituled "An Act "to facilitate the Performance of the Duties of Justices of the Peace "out of Sessions within England and Wales with respect to Summary "Convictions and Orders," or any Act amending the same; and as to Ireland, in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen Victoria, Chapter Ninety-three, intituled "An Act to con- "solidate and amend the Acts regulating the Proceedings of Petty "Sessions, and the Duties of Justices of the Peace out of Quarter "Sessions, in Ireland," or any Act amending the same.

In Scotland any Offence under this Act punishable summarily may be prosecuted upon Summary Conviction at the Instance of the Procurator Fiscal before any Sheriff or Sheriff Substitute, or before any Two Justices of the County, or before the Magistrates or any Police Magistrate of the Burgh in which the Offence is committed.

Where Holder of Licence is summarily convicted, convicting Magistrate to forward Certificate to Secretary of

8. Where any Holder of a Licence granted in the Form set forth in the said Schedule (A.) is convicted of an Offence punishable summarily under this or any other Act, the Justices, Sheriff, Sheriff Substitute, or other Magistrate convicting the Prisoner shall without Delay forward by Post a Certificate in the Form given in Schedule (B.) to this Act annexed, if in England or Scotland to One of Her Majesty's Principal Secretaries of State, if in Ireland to the Lord

State or Lord Lieutenant of Ireland.

Lieutenant or other Chief Governor of Ireland, and thereupon the Licence of the said Holder may be revoked in manner provided by the said Penal Servitude Acts.

Effect of Forfeiture or Revocation of Licence.

9. Where any Licence granted in the Form set forth in the said Schedule (A.) is forfeited by a Conviction of any indictable Offence, or is revoked in pursuance of a summary Conviction under this Act or any other Act of Parliament, the Person whose Licence is forfeited or revoked shall, after undergoing any other Punishment to which he may be sentenced for the Offence in consequence of which his Licence is forfeited or revoked, further undergo a Term of Penal Servitude equal to the Portion of his Term of Penal Servitude that remained unexpired at the Time of his Licence being granted, and shall, for the Purpose of his undergoing such last-mentioned Punishment, be removed from the Prison of any County, Borough, or Place in which he may be confined, to any Prison in which Convicts under Sentence of Penal Servitude may lawfully be confined, by Warrant under the Hand and Seal of any Justice of the Peace of the said County, Borough, or Place, and shall be liable to be there dealt with in all respects as if such Term of Penal Servitude had formed Part of his original Sentence.

Licences may be granted in Form differing from that in Schedule (A.)

10. Provided always, That it shall be lawful for Her Majesty, or for the Lord Lieutenant in Ireland, whenever they shall respectively think fit, to grant from Time to Time to Convicts under Sentence of Penal Servitude, Licences in any other Form different from that set forth in Schedule (A.), which they may respectively consider it expedient to adopt, and containing other and different Conditions; and such last-mentioned Licences shall be revocable at pleasure by the Authority by which they are granted; but no Holder of such last-mentioned Licence shall be deemed guilty of an Offence punishable upon summary Conviction by the Breach of the Conditions of the said last-mentioned Licences, or any of them, nor shall any Penalty other than the Revocation of the Licence be incurred by such Breach.

SCHE-

SCHEDULE.

SCHEDULE (A.)

Order of Licence to a Convict made under the Statute.

Whitehall,

day of 18 .

HER MAJESTY is graciously pleased to grant to
who was convicted of at the
for the on the
and was then and there sentenced to be kept in Penal Servitude for the Term of and is now confined in the
Her Royal Licence to be at large in the United Kingdom from the Day of his Liberation under this Order during the remaining Portion of his said Term of Penal Servitude, unless the said shall before the Expiration of the said Term be convicted of some indictable Offence, in which Case such Licence will be immediately forfeited by Law, or unless it shall please Her Majesty sooner to revoke or alter such Licence.

This Licence is given subject to the Conditions endorsed upon the same, upon the Breach of any of which it will be liable to be revoked, whether such Breach is followed by a Conviction or not.

And Her Majesty hereby orders that the said
be set at Liberty within Thirty Days from the Date of this Order.

Given under my Hand and Seal.

Conditions.

1. The Holder shall preserve his Licence and produce it when called upon to do so by a Magistrate or Police Officer.

2. He shall abstain from any Violation of the Law.

3. He shall not habitually associate with notoriously bad Characters, such as reputed Thieves and Prostitutes.

4. He shall not lead an idle and dissolute Life, without visible Means of obtaining an honest Livelihood.

If his Licence is forfeited or revoked in consequence of a Conviction for any Offence, he will be liable to undergo a Term of Penal Servitude equal to the Portion of his Term of Years which remained unexpired when his Licence was granted, viz., the Term of Years.

SCHEDULE (B.)

Form of Certificate of Conviction of Holder of Licence.

I do hereby certify that *A.B.*, the Holder of a Licence under the Penal Servitude Acts, was on the Day of in the Year duly convicted by of the Offence of and sentenced to .

C.D.,
Clerk to the said Justices.

Penal Servitude Acts Amendment.

A

BILL

[AS AMENDED IN COMMITTEE]

To amend the Penal Servitude Acts.

(*Prepared and brought in by Sir George Grey and Mr. Bruce.*)

Ordered, by The House of Commons, *to be Printed*, 18 *April* 1864.

[Bill 71.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

PENAL SERVITUDE ACTS AMENDMENT BILL.

Note.—*The Page and Line refer to the Bill* (66.) *as printed by the Lords.*

Page 1.

Line 17. Leave out ("After the passing of this Act no " Prisoner") and insert ("no Person")

Line 18. After ("Servitude") insert ("in respect to any " Offence committed after the passing of this Act")

Page 2.

Line 3. After ("shall") insert ("in respect to any Offence " committed after the passing of this Act")

Line 7. After ("shall") insert ("in respect to any Offence " committed after the passing of this Act")

Line 7. At End of Clause add ("and where any Person shall " on Indictment be convicted of any Felony or of any Misde- " meanor punishable with Penal Servitude, after having been " previously convicted of Felony (whether such previous Con- " viction shall have taken place upon an Indictment or under " the Provisions of the Act passed in the Eighteenth and Nine- " teenth of Victoria, Chapter One hundred and twenty-six), the " least Sentence of Penal Servitude that can be awarded in such " Case shall be a Period of Seven Years")

Line 36. After ("and") insert ("being a Male") and after ("subsequently") leave out ("once in each Month") and insert ("if required so to do by the Conditions of his Licence")

Line 38. After ("of") insert ("the Constabulary Force to " which") and after ("Station") insert ("belongs")

Line 39. After ("Residence") insert ("from One Police " District to another")

LORDS AMENDMENTS

TO THE

PENAL SERVITUDE ACTS AMENDMENT BILL.

Ordered, by The House of Commons, *to be Printed*,
23 *June* 1864.

[Bill 167.]

Under 1 *oz.*

Penal Servitude Acts Consolidation Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Short Title; Sect. 1.

Sentence of Penal Servitude substituted for Sentence of Transportation; 2.

Persons under Sentence or Order of Penal Servitude how to be dealt with; 3.

All Acts, &c. concerning Convicts sentenced to Transportation made applicable to Convicts sentenced to Penal Servitude; 4.

Provisions of Acts concerning transported Offenders to apply to Offenders under Sentence of Penal Servitude; 5.

Existing Power to appoint Places of Transportation to be applicable for the Purposes of this Act; 6.

All Enactments referring to Transportation, to have reference to Penal Servitude; 7.

Discretion of Courts as to alternative Punishments not to be affected; 8.

Conditional Pardons to be allowed with reference to the substituted Punishment as in Cases of Pardon on condition of Transportation; 9.

Queen's Prerogative; 10.

Punishment of Offences in Convict Prisons; 11.

Extent of Act; 12.

Commencement of Act; 13.

A

BILL

TO

Amend and Consolidate the Penal Servitude Acts for England and Scotland.

WHEREAS Two Acts were passed, the one Chapter Ninety-nine in the Session of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, and the other Chapter Three in the Session of the Twentieth and Twenty-first Years of the same Reign, having for their Object the Substitution of other Punishments in lieu of Transportation: And whereas it is expedient to amend and consolidate the said Acts for England and Scotland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble. 16 & 17 Vict. c. 99. 20 & 21 Vict. c. 3.

1. The said Acts shall be repealed so far as respects England and Scotland, and this Act shall be cited as the Penal Servitude Act, 1864: Provided, that the Repeal of the said Acts shall not affect any Sentence of Penal Servitude which may have been passed previously to the Time at which this Act commences; and for the Purpose of any such Sentence, and of the granting of Licences thereunder, the said Acts shall remain in full Force. Short Title.

Sentence of Penal Servitude substituted for Sentence of Transportation.

2. No Person shall be sentenced to Transportation; and any Person who previously to the first-recited Act being passed might have been sentenced to Transportation shall be liable to be sentenced to be kept in Penal Servitude for a Term not exceeding *Three Fourths* of the Term of Transportation to which such Person would have been liable before that Act was passed; and in every Case where, at the Discretion of the Court, One of any Two or more Terms of Transportation might have been awarded, the Court shall have the like Discretion to award One of any Two or more of the Terms of Penal Servitude in the said Proportion: Provided always, that any Person who might at the Discretion of the Court have been sentenced either to Transportation for any Term or to any Period of Imprisonment, shall be liable at the Discretion of the Court to be sentenced either to Penal Servitude for a like proportionate Term or to the same Period of Imprisonment.

Persons under Sentence or Order of Penal Servitude how to be dealt with.

3. Every Person sentenced or ordered to be kept in Penal Servitude may, during the Term of the Sentence or Order, be confined in any such Prison or Place of Confinement in any Part of the United Kingdom, or in any River, Port, or Harbour of the United Kingdom, in which Persons under Sentence or Order of Transportation might before the passing of the first-recited Act be confined, or in any other Prison in the United Kingdom, or in any Part of Her Majesty's Dominions beyond the Seas, or in any Port or Harbour thereof, as One of Her Majesty's Principal Secretaries of State may from Time to Time direct; and such Person may during such Term be kept to Hard Labour and otherwise dealt with in all respects as Persons sentenced to Transportation might have been dealt with while so confined before the passing of the said Act.

All Acts, &c. concerning Convicts sentenced to Transportation made applicable to Convicts sentenced to Penal Servitude.

4. All Acts and Provisions of Acts previously to the passing of the said Act applicable with respect to Persons under Sentence or Order of Transportation shall, so far as may be consistent with the express Provisions of this Act, be construed to extend and be applicable to Persons under any Sentence or Order of Penal Servitude; and all the Powers and Provisions contained in the Act of the Fifth Year of King George the Fourth, Chapter Eighty-four, authorizing the Appointment by Her Majesty from Time to Time of Places of Confinement as therein mentioned for Male Offenders under Sentence or Order of Transportation, and authorizing Her Majesty to order Male Offenders convicted in Great Britain and under Sentence or Order of Transportation, to be kept to Hard Labour in any Part of Her Majesty's Dominions out of England, shall extend and be applicable to and for the Appointment by Her Majesty of like Places of Confinement in any Part of the United Kingdom, for Offenders

Offenders (whether Male or Female) sentenced under the recited Acts or this Act in any Part of the United Kingdom, and to and for the ordering of such Offenders to be kept to Hard Labour in any Part of Her Majesty's Dominions out of England; and all the Provisions of the said Act concerning the Removal to or from and Confinement in the Places of Confinement in or out of England, appointed under the said Act, of the Offenders therein mentioned; and all Acts and Provisions of Acts now in force concerning or relating to the Regulation and Government of such Places of Confinement, and the Custody, Treatment, Management, and Control of or otherwise in relation to the Offenders confined therein, shall, so far as the same may be consistent with the express Provisions of the Act, extend and be applicable to and for the Removal to and from and Confinement in the Places of Confinement appointed under the recited Acts or this Act, of the Offenders sentenced in any Part of the United Kingdom, and otherwise be applicable to and in respect of such Places of Confinement, and the Offenders to be confined therein.

Provisions of Acts concerning transported Offenders to apply to Offenders under Sentence of Penal Servitude.

5. And whereas the Provisions applicable to Persons under Sentence of Transportation extend to Persons under Sentence of Penal Servitude conveyed to Parts beyond the Seas in those Cases only where they are conveyed to and kept in Places of Confinement appointed under the said Act or the Act of the Fifth Year of King George the Fourth, Chapter Eighty-four, and it is expedient to extend the said Provisions to other Cases:

Any Person now or hereafter under Sentence or Order of Penal Servitude may, during the Term of the Sentence or Order, be conveyed to any Place or Places beyond the Seas to which Offenders under Sentence or Order of Transportation might have been conveyed, or to any Place or Places beyond the Seas which may be hereafter appointed as herein mentioned; and all Acts and Provisions which at the Time of the passing of the Twentieth and Twenty-first Victoria, Chapter Three, were applicable to and for the Removal and Transportation of Offenders under Sentence or Order of Transportation to and from any Places beyond the Seas, and concerning their Custody, Management, and Control, and the Property in their Services, and the Punishment of such Offenders if at large without lawful Cause before the Expiration of their Sentence, and all other Provisions at the Time of the passing of this Act, applicable to and in the Case of Persons under Sentence or Order of Transportation, shall apply to and in the Case of Persons under Sentence or Order of Penal Servitude, as if they were Persons under Sentence or Order of Transportation.

Existing Power to appoint Places of Transportation to be applicable for the Purposes of this Act.

6. The Provisions and Powers of the said Act of the Fifth Year of King George the Fourth, authorizing the Appointment (by Her Majesty, with the Advice of Her Privy Council,) of any Place or Places beyond the Seas to which Felons and other Offenders under Sentence or Order of Transportation shall be conveyed, and all other Powers of Her Majesty for the like Purpose, shall extend and be applicable to and for the Appointment of any Place or Places beyond the Seas to which Offenders under Sentence or Order of Penal Servitude may be conveyed, as herein provided.

All Enactments referring to Transportation to have reference to Penal Servitude.

7. Where in any Enactment now in force the Expression "any Crime punishable with Transportation," or "any Crime punishable by Law with Transportation," or any Expression of the like Import, is used, the Enactment shall be construed and take effect as applicable also to any Crime punishable with Penal Servitude.

Discretion of Courts as to alternative Punishments not to be affected.

8. Provided also, That nothing herein contained shall interfere with or affect the Authority or Discretion of any Court in respect of any Punishment which such Court may now award or pass on any Offender other than Transportation, but where such other Punishment may be awarded at the Discretion of the Court, instead of Transportation, or in addition thereto, the same may be awarded instead of or (as the Case may be) in addition to the Punishment substituted for Transportation under this Act.

Conditional Pardons to be allowed with reference to the substituted Punishment as in Cases of Pardon on condition of Transportation.

9. Whenever Her Majesty shall be pleased to extend Mercy to any Offender convicted of any Offence for which he may be liable to the Punishment of Death, upon Condition of his being kept to Penal Servitude for any Term of Years or for Life, such Intention of Mercy shall have the same Effect and may be signified in the same Manner, and all Courts, Justices, and others shall give Effect thereto and to the Condition of the Pardon, in like Manner as in the Cases where Her Majesty is now pleased to extend Mercy upon Condition of Transportation beyond Seas, the Order for the Execution of such Punishment as Her Majesty may have made the Condition of Her Mercy being substituted for the Order of Transportation.

Queen's Prerogative.

10. Provided always, That nothing in this Act contained shall in any Manner affect Her Majesty's Royal Prerogative of Mercy.

Punishment of Offences in Convict Prisons.

11. One of Her Majesty's Principal Secretaries of State may, by Warrant under his Hand and Seal, empower any Two or more Justices of the Peace, to be named in such Warrant, acting for any County in which a Prison for the Reception of Convicts under Sentence

Sentence of Penal Servitude is situate to order, from Time to Time, the Infliction of *Corporal Punishment* on any Convict confined in such Prison, for an Offence committed by such Convict in such Prison, and against the Discipline thereof; and any Two or more Justices of the Peace thus empowered shall have the same Power of adjudicating on such Offences, and of ordering the Infliction of such Punishment, to be exercised under the same Conditions as One of the Directors of Convict Prisons would have, and no greater.

Extent of Act.

12. This Act shall not extend to Ireland.

Commencement of Act.

13. This Act shall commence from and after the *Second Day of November One thousand eight hundred and sixty-four.*

Penal Servitude Acts Consolidation.

A

B I L L

To amend and consolidate the Penal Servitude Acts for England and Scotland.

(*Prepared and brought in by Mr. Adderley, Mr. Arthur Mills, and Major Cumming Bruce.*)

Ordered, by The House of Commons, *to be Printed,* 25 *February* 1864.

[Bill 36.]

Under 1 *oz.*

A

BILL

TO

Amend the Law as regards Persons charged with Petty Offences, and to enable such Persons and their Wives or Husbands to give Evidence.

Preamble.

WHEREAS it is expedient to admit the Evidence of Persons charged with certain Petty Offences punishable by summary Conviction before a Magistrate or Justices of the Peace, and the Evidence of the Husbands or Wives of such Persons, and to make further Provision for the bailing of Persons charged with such Offences: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

In Cases of Offences punishable by summary Conviction the Person charged, and the Husband or Wife, to give Evidence, &c.

1. In all Cases where any Person shall be charged with any Offence punishable by summary Conviction before Justices of the Peace or a Magistrate, the Person so charged, and his Wife or her Husband, as the Case may be, shall be competent to give Evidence on the hearing of such Charge.

Where Person charged with Annoyance simply,

2. In all Cases where any Person shall be charged by a Police Constable with any Offence which consists wholly or mainly in the

 Annoyance

other Evidence than that of Police to be adduced.

Annoyance occasioned to the Public or to Individuals, it shall be necessary to adduce Evidence to the Satisfaction of the Magistrate other than that of the Police or Constable by whom any Person shall be apprehended of such Annoyance having been occasioned.

In certain Cases Constable in charge of Station to take a Deposit as Security for a Person's Appearance to answer Charge.

3. Whenever any Person charged with any Offence not amounting to Felony, or to an aggravated or indecent Assault, and for which such Person is liable to be summarily convicted as herein-before mentioned, shall be in the Custody of any Police Constable in charge of any Station House, without the Warrant of any Justice or Magistrate, it shall be lawful for such Constable at any Time when such Person so charged cannot immediately be taken before a Justice or Magistrate, in addition to such Person's own Recognizance, and with or without any Bail, to take a Deposit of such Sum of Money as he shall deem reasonable as Security for such Person's Appearance to answer such Charge, and such Deposit shall be returned to such Person on his or her so appearing; but in case such Person shall not so appear, the Money deposited shall be forfeited, and be applied in the same Manner as any Penalty recovered from any Person summarily convicted, and the Constable shall enter in some Book to be kept for that Purpose at every such Station House the Amount of any Sum tendered as a Deposit, and whether the same has been accepted or refused.

Constable refusing Bail to enter in a Book the Names, &c. of Persons offered, with his Reasons for Refusal.

4. Whenever any Bail shall be offered to such Constable for the Appearance of any Person to answer any Charge for any Offence punishable as herein-before mentioned, and not amounting to Felony, or an aggravated or indecent Assault, and such Constable shall refuse to accept such Bail, such Constable shall enter in a Book, to be kept for that Purpose at each such Station House, the Name, Residence, and Occupation of the Person or Persons so offered, and the Reasons for which such Constable refuses to accept such Bail; and the Officer on Duty at every Station House when Persons shall be brought under any Charge shall be required to afford all reasonable Facilities to the Person so charged for Communication with his Friends with a view to obtaining Bail, and a Tariff of Charges for Messages for such or other like Purposes shall be exhibited in some conspicuous Place in every Station House.

Petty Offences Law Amendment.

A

BILL

To amend the Law as regards Persons charged with Petty Offences, and to enable such Persons and their Wives or Husbands to give Evidence.

(Prepared and brought in by Mr. Whalley and Mr. M'Mahon.)

Ordered, by The House of Commons, *to be Printed,* 27 *May* 1864.

[Bill 121.]

Under 1 *oz.*

Pier and Harbour Orders Confirmation Bill.

ARRANGEMENT OF CLAUSES.

Clause
Preamble.
1. Confirmation of Orders in Schedule.
2. Short Title.

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A

B I L L

FOR

Confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Brighton, Eastbourne, Sandown, Walton-on-the-Naze, Clevedon, Rhyl, Bray, Kircubbin, Walton (Suffolk), Holywood, Exe Bight, Lytham, Ardglass, Filey, Greenock, Carlingford Lough, Wexford, Torquay, and Oban.

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act, and set out in the Schedule hereto, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

 1. The

Confirmation of Orders in Schedule.

1. The several Provisional Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the *passing of this Act*, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1864.

The SCHEDULE of Provisional Orders.

1. BRIGHTON.—Construction of a Pier.
2. EASTBOURNE.—Construction of a Pier.
3. SANDOWN.—Construction of a Pier.
4. WALTON-ON-THE-NAZE.—Construction of a Pier.
5. CLEVEDON.—Construction of a Pier.
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7. BRAY.—Construction of additional Works.
8. KIRCUBBIN.—Improvement of Harbour.
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10. HOLYWOOD.—Construction of a Pier and Quay.
11. EXE BIGHT.—Construction of a Pier.
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16. CARLINGFORD LOUGH.—Improvement of Harbour.
17. WEXFORD.—Improvement of Entrance to Harbour.
18. TORQUAY.—Improvement of Harbour.
19. OBAN.—Construction of further Works.

BRIGHTON.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Brighton, in the County of Sussex.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Brighton West Pier Company (Limited) made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Brighton, in the county of Sussex, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls:

And whereas the estimated expenditure on the proposed works is twenty-two thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the Purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The Brighton West Pier Company (Limited), herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands and in the lines, and according to the levels, and within the limits of deviation shown

Brighton.

shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier on iron piles commencing at a point on the esplanade opposite Regency Square, in the town of Brighton, in the parish of Brighton, in the county of Sussex, and extending seaward in a southerly direction one thousand one hundred and fifty feet or thereabouts.

Power to levy rates according to Schedule to this Order.

6. The Company may demand and receive in respect of the persons, vessels, and things in the Schedule hereto described any sums not exceeding the rates in that Schedule specified.

Restriction on use of pier.

7. Nothing in this Order shall entitle vessels or boats to ship or unship at the pier any sheep, cattle, or merchandise, or any things other than those in the Schedule hereto described.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any particular person.

Pass-tickets not to be transferable.

9. Any pass-ticket from time to time granted by the Company shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention to this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence, upon a summary conviction for the same before a Justice or Justices of the Peace, be liable to a penalty not exceeding twenty shillings.

Custom House Officers exempt from rates.

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels and otherwise without payment.

Lands for extraordinary purposes.

11. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Short title.

12. This Order may be cited as The Brighton West Pier Order, 1864.

Board of Trade, Whitehall.
Dated this 5th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - - -	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - - - - - - - -	0	0	4

Brighton.

	£	s.	d.
For every bath or sedan chair taken on the pier, for each and every time, any sum not exceeding - - - - - -	0	0	6
For every perambulator - - - - - -	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Brighton, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	1	0	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs. - - - - - - -	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons - -	per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons	„	0	0	6
For every vessel of the burden of 50 tons and under 100 tons	„	0	0	8
For every vessel of the burden of 100 tons and under 150 tons	„	0	0	10
For every vessel of the burden of 150 tons and upwards -	„	0	1	0
For every lighter for each trip - - - -	„	0	0	2

IV.—Rates for laying Water Mains on Pier.

Water - - - - - -	per ton	0	0	6

EASTBOURNE.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Eastbourne, in the County of Sussex.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Eastbourne Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Eastbourne, in the county of Sussex, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls : Preamble.

And whereas the estimated expenditure on the proposed works is twelve thousand pounds and no more :

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit :

Eastbourne.

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The Eastbourne Pier Company (Limited), herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier on iron piles commencing at a point on the esplanade opposite Devonshire Place, in the town of Eastbourne, in the parish of Eastbourne, in the county of Sussex, and extending seaward in a south-easterly direction one thousand feet or thereabouts.

Power to levy rates according to Schedule to this Order.

6. The Company may demand and receive in respect of the persons, vessels, and things in the Schedule hereto described any sums not exceeding the rates in that Schedule specified.

Restriction on use of pier.

7. Nothing in this Order shall entitle vessels or boats to ship or unship at the pier any sheep, cattle, or merchandise, or any things other than those in the Schedule hereto described.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any particular person.

Pass-tickets not to be transferable.

9. Any pass-ticket from time to time granted by the Company shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence, upon a summary conviction

conviction for the same before a Justice or Justices of the Peace, be liable to a penalty not exceeding twenty shillings. *Eastbourne.*

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels and otherwise, without payment. Custom House Officers exempt from rates.

11. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres. Land for extraordinary purposes.

12. This Order may be cited as The Eastbourne Pier Order, 1864. Short Title.

Board of Trade, Whitehall.
Dated this 5th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - -	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - - - - - - - - -	0	0	2
For every bath or sedan chair taken on the pier, for each and every time, any sum not exceeding - - - - - -	0	0	6
For every perambulator - - - - - -	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Eastbourne, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - - -	1	0	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs., and not exceeding 112 lbs. - - - - - - - -	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons - -	per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons	,,	0	0	6
For every vessel of the burden of 50 tons and under 100 tons	,,	0	0	8
For every vessel of the burden of 100 tons and under 150 tons	,,	0	0	10
For every vessel of the burden of 150 tons and upwards -	,,	0	1	0
For every lighter for each trip - - - - -	,,	0	0	2

IV.—Rates for laying Water Mains on Pier.

Water - - - - - -	per ton	0	0	6

SANDOWN.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Sandown, in the Isle of Wight.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Sandown Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Sandown, in the parish of Brading, in the county of Southampton, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for levying tolls, rates, and duties, not exceeding those in the Schedule hereto annexed, and for the incorporation of a Company:

And whereas the estimated expenditure on the proposed work is fifteen thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

The Company.

Incorporation of Company.

1. The following persons, namely, Thomas Willis Fleming, Robert Rawlins, Francis Henry Atherley, Daniel Climie, and all other persons and corporations who have subscribed or who may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of The Sandown Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other

other property for the purposes of the proposed works, but subject to the restrictions of this Order. *Sandown.*

2. The Sandown Pier Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order. Undertakers.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order. Incorporation of Companies Clauses Acts.

4. The capital of the Company shall be the sum of fifteen thousand pounds, in one thousand five hundred shares of ten pounds each. Capital.

5. No call shall exceed one pound per share, or be made payable within three months of any previous call. Calls.

6. The Company may from time to time, with the sanction of a general meeting of the Company specially convened for the purpose, borrow on mortgage or bond at interest, for any time not exceeding five years, such sums of money as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of fifteen thousand pounds is subscribed for or taken, and until one half thereof is paid up, and until the Company prove to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same. Borrowing powers.

7. The mortgagees of the Company may enforce the payment of arrears of interest, or arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be two thousand pounds. Receiver.

8. The Company may, by the resolution of a general meeting specially convened, such resolution being adopted by not less than three fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion, not exceeding one third part, of the shares then subscribed for or taken, shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company. Power to create preference shares.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for depcsit under Standing Orders, &c.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order. Money to be applied to purpose of Order.

12. The first general meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order at such time and place as the directors determine. First general meeting.

Number of directors.

13. The number of the directors shall not be more than six or less than three.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. The four persons herein-before named may, by writing under their hands, nominate the persons who shall, either conjointly with themselves or any of them, or otherwise, be the first directors of the Company, and the directors so nominated shall continue in office until the first general meeting of the Company.

Qualification.

16. The qualification of a director elected by the shareholders or nominated as aforesaid shall be the holding in his own right of not less than twenty shares in the capital of the Company.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors in such manner as they determine.

Lands.

Power to take specified lands by arrangements.

18. For the purpose of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the land shown on the plans as intended to be taken for the purposes of the proposed pier and works.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

20. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

21. The works authorized by this Order comprise the following:

A pier, with all proper works, approaches, and other conveniences connected therewith, situate wholly in the parish of Brading and county of Southampton, commencing with a junction with the turnpike road leading from Shanklyn to Ryde, about ninety yards north-east of the King's Head hotel at Sandown, and running out into the sea in a south-easterly direction, and terminating one thousand five hundred feet or thereabouts from high-water mark.

Rates.

Power to take rates in schedules.

22. The Company may demand and receive in respect of the vessels, goods, persons, and things in the schedule hereto described any rates not exceeding the rates in that schedule specified.

Exemptions of Custom House officers from rates.

23. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, and out of the pier and works by land, and with their vessels and otherwise, without payment.

24. The

Sandown.

24. The rates received under this Order shall be applicable for the purposes in the order following: Application of rates.

1. To the maintenance of the works authorized by this Order:
2. In payment, to an extent not exceeding one fifteenth part of such rates, of any rent or rent-charge payable in respect of any lands acquired by the Company under this Order:
3. In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal money:
4. To the use and for the purposes of the Company.

General Provisions.

25. The Company may provide such steam engines, steam vessels, piling engines, diving bells, barges, boats, and other machinery and vessels as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable. Company may provide steam engines.

26. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Any such pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act. Company may contract with persons for use of pier.

27. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by the Order. Part V. of 24 & 25 Vict. c. 47. to apply.

28. This Order may be cited as The Sandown Pier Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 10th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons, and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons, and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons, and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons, and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open, landing or taking on board goods, each	*0*	*6*

Sandown.

II.—Rates on Goods shipped or unshipped at the Pier.

	s.	d.
Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
„ per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
„ per barrel	0	6
Biscuit or Bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and Lard, per barrel	0	6
„ per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding 1 cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates) per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	2
„ (fresh, not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
„ per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household) per 5 cubic feet	0	4
Glass, per large crate	1	6
„ per small crate or case	1	0
„ per box	0	6

		s.	d.	*Sandown.*
	Grains and seeds, per quarter	0	6	
	Groceries not enumerated, per cwt.	0	6	
	Guano, per ton	1	6	
5	Gunpowder, per barrel or keg	0	4	
	Hams, bacon, or tongues, per cwt.	0	6	
	Hardware, per ton	2	6	
	Hares and rabbits, per dozen	0	4	
	Hay, per ton	1	6	
10	„ per truss	0	2	
	Hemp, per ton	2	0	
	Herrings (fresh), per 1,000	0	3	
	„ (cured), per barrel	0	3	
	Hides:			
15	Ox, cow, or horse (wet or dry), each	0	2	
	Iron:			
	Bar, bolt, rod, and shots, per ton	1	6	
	Pig and old, per ton	1	0	
	Manufactured, per ton	2	6	
20	Pots, each	0	1	
	Kelp, per ton	2	0	
	Lead, per ton	2	6	
	Leather (tanned and dressed), per cwt.	0	3	
	Lime, per 28 bushels	1	4	
25	Limestone, per ton	1	0	
	Machinery, per ton	2	6	
	Manure (not enumerated), per ton	1	0	
	Masts and spars, 10 inches in diameter and upwards, each	4	6	
	„ under 10 inches, each	3	0	
30	Meat (fresh), per cwt.	0	6	
	Milk, per gallon	0	0½	
	Musical instruments, per cubic foot	0	1	
	Nets, per 5 cubic feet	0	4	
	Oakum, per cwt.	0	2	
35	Oils, per ton	2	0	
	Oilcake, per ton	2	0	
	Oranges and lemons, per box	0	6	
	Ores, per ton	1	0	
	Oysters, per bushel	0	3	
40	Paint, per cwt.	0	4	
	Pitch and tar, per barrel	0	6	
	Potatoes, per cwt.	0	2	
	Poultry and game, per dozen	0	4	
	Rags and old rope, per ton	2	0	
45	Sails, per cwt.	0	6	
	Salt, per cwt.	0	1	
	Sand, per ton	1	0	
	Shrimp baskets, each	0	2	
	Skins (calf, goat, sheep, lamb, or dog), per dozen	0	6	
50	Slates, per ton of 24 cubic feet	2	0	
	Spirits (foreign and British), per hogshead	1	0	
	„ „ „ per gallon	0	1	
	Stones, per ton of 16 cubic feet	1	6	
	Steel, per ton	3	0	
55	Sugar, per cwt.	0	3	
	Tallow, soap, and candles, per cwt.	0	3	
	Tea, per chest	1	0	
	Tiles, per 1,000	1	6	
	Tin and zinc, per ton	3	0	

Sandown.

	s.	d.
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
„ (bottled), per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, of fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
„ 2½ inches in diameter and under, per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
„ above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
„ exceeding 2 feet in length, per 120	3	0
Treenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wood, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Cranage.

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2nd. Weighing Machines.

	s.	d.
For goods weighed, for each ton or part of a ton - - -		

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwts., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package - - *0* *2*

IV.—Rates for laying Water Mains on Pier.

	£	s.	d.
Water, per ton - - - - - - - - -		*0*	*6*

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	*0*	*0*	*6*
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding - - - - - - -	*0*	*0*	*2*
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - -	*0*	*0*	*6*
For every perambulator - - - - -	*0*	*0*	*2*
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Sandown, and using the said pier for the purpose of going into or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - -	*1*	*0*	*0*

VI.—Rates on Passengers' Luggage.

	£	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - -	*0*		*2*
Over 28 lbs., and not exceeding 84 lbs. - - - -	*0*		*4*
Over 84 lbs., and not exceeding 112 lbs. - - - -	*0*		*5*
Over 112 lbs., and not exceeding 140 lbs. - - - -	*0*		*6*
Over 140 lbs., and not exceeding 196 lbs. - - - -	*0*		*7*
Over 196 lbs., and not exceeding 2 cwts. - - - -	*0*		*8*
And for every cwt. beyond - - - - -	*0*		*4*
And for every 20 lbs. weight in addition - - - -	*0*		*1*

WALTON-ON-THE-NAZE.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Walton-on-the-Naze in the County of Essex.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Walton-on-the-Naze Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Walton-on-the-Naze in the parish of Walton in the county of Essex, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for levying tolls, rates, and duties not exceeding those in the Schedule hereto annexed, and for the incorporation of a company for the objects aforesaid:

And whereas the estimated expenditure on the proposed work is ten thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order the following provisions shall take effect and be in force:

Walton-on-the-Naze Pier Company.

Incorporation of Company.

1. The following persons, namely, Newson Garrett, Edward Chapman, Peter Schuyler Bruff, and all other persons and corporations who have subscribed or who may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a company for the purpose of making and maintaining the

the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of The Walton-on-the-Naze Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order. *Walton-on-the-Naze.*

2. The Walton-on-the-Naze Pier Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order. Undertakers.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order. Incorporation of Companies Clauses Acts.

4. The capital of the Company shall be the sum of ten thousand pounds, in one thousand shares of ten pounds each. Capital.

5. No call shall exceed two pounds per share, or be made payable within two months of any previous call. Calls.

6. The Company may, with the sanction of a general meeting of the Company specially convened for the purpose, borrow on mortgage or bond at interest, from time to time, not exceeding five years, such sums of money as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of ten thousand pounds is subscribed for or taken, and until one half thereof is paid up, and until the Company prove to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same (of which matters such certificate shall be sufficient evidence). Borrowing powers.

7. The mortgagees of the Company may enforce the payment of arrears of interest, or the arrears of principal and interest, due on their respective mortgages by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds. Receiver.

8. The Company may, by the resolution of a general meeting specially convened, such resolution being adopted by not less than three fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion, not exceeding one third part, of the shares then subscribed for or taken shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company. Power to create preference shares.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposit under Standing Orders, &c.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order. Money to be applied to purpose of Order.

Walton-on-the-Naze.

First general meeting.

12. The first general meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order at such time and place as the directors determine.

Number of directors.

13. The number of the directors shall not be more than five nor less than three.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. The three persons herein-before named may, by writing under their hands, nominate the persons who shall, either conjointly with themselves, or any of them, or otherwise, be the first directors of the Company, and the directors so nominated shall continue in office until the first general meeting of the Company.

Qualification.

16. The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of not less than twenty shares in the capital of the Company.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors in such manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration divisible among the directors shall be at the rate of twenty pounds per annum.

Lands.

Power to take specified lands by arrangements.

18. For the purpose of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any of the land shown on the plans as intended to be taken for the purposes of the proposed pier and works.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

20. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

21. The works authorized by this Order comprise the following:

A pier, with all proper works, approaches, tramways, and other conveniences connected therewith, situate wholly in the parish of Walton and county of Essex, commencing at or near the junction of the South Cliff Slope roads leading to the sea shore, and about forty yards northward of the Clifton Hotel at Walton aforesaid, and running out into the sea in an easterly direction, and terminating three hundred and fifty yards or thereabouts from high-water mark:

Provided nevertheless, that the said pier beyond the distance of one hundred yards from high-water mark at spring tides shall not be a solid embankment or pier, but an open work viaduct, with or without a floating pier or landing stage.

Rates.

Power to take rates in Schedule.

22. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described any rates not exceeding the rates in that Schedule specified.

Exemptions of Custom House Officers from rates.

23. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, along, from, and out of the pier and works by land, and with their vessels and otherwise, without payment.

Application of rates.

24. The rates received under this Order shall be applicable for the purposes and in the order following:

1. To the maintenance of the works authorized by this Order:
2. In payment, to an extent not exceeding one fifteenth part of such rates, of any rent or rentcharge payable in respect of any lands acquired by the Company under this Order:
3. In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money:
4. To the use and for the purposes of the Company.

General Provisions.

Company may provide steam engines, &c.

25. The Company may provide such steam engines, steam vessels, piling engines, diving bells, barges, boats, and other machinery and vessels as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable.

Company may contract with persons for use of pier.

26. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

Power to dredge, scour, &c.

27. Subject to the provisions of this Order, the Company may from time to time dredge, deepen, and scour that portion of the foreshore which lies within the limits of this Order, and may place and maintain moorings, buoys, dolphins, capstans, and other necessary works for warping or otherwise assisting vessels coming to or leaving the pier, or lying outside or along the same, and may do, execute, and perform all such lawful acts and things either in or upon the lands or works belonging to them, or within the limits of this Order, as they may think necessary or proper for preventing and removing obstructions or impediments thereon or therein, or for preserving or facilitating the access to, or increasing the convenience or security of the pier, and generally for preserving the navigation within the limits of this Order; provided always, that any materials so dredged shall be disposed of in such manner as the Board of Trade may from time to time direct.

Walton-on-the-Naze.

Limits of Order.

28. The limits of this Order shall include the pier and the space lying between the pier and the shore and a line running parallel with the pier at a distance of three hundred yards from the north side of the pier, and a straight line drawn north and south at a distance of three hundred yards from the east end of the pier, and a line running parallel with the first-mentioned line at a distance of three hundred yards from the south side of the pier.

Part V. of 24 & 25 Vict. c. 47. to apply.

29. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by the Order.

Short title.

30. This Order may be cited as The Walton-on-the-Naze Pier Order, 1864.

Board of Trade, Whitehall.
Dated this 10th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons, and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons, and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons, and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
„ „ per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
„ per barrel	*0*	*6*
Biscuit or bread, per cwt.	*0*	*3*
Blubber, per ton of 252 gallons	*3*	*0*
Bones and bone dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*2*	*0*
Butter and lard, per barrel	*0*	*6*
„ per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*

		s.	*d.*
	Canvass, per bolt	0	1
	Casks (empty), not being returned packages, per puncheon	0	3
	Other casks in proportion.		
5	Cattle:		
	Bulls, cows, and oxen, each	3	0
	Calves, each	1	0
	Horses, each	4	0
	Pigs, each	0	6
10	Sheep, each	1	0
	Chalk, per ton	1	6
	Cheese, per cwt.	0	4
	Chimney pots, each	0	3
	Clay, per ton	1	0
15	Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6
	Carriages:		
	Chaises and other four-wheeled carriages, each	7	6
	Gigs, carts, and other two-wheeled carriages, each	5	0
	Hand-carts and perambulators, each	1	0
20	Coals, per ton	1	0
	Copper, per ton	3	0
	Cordage, per cwt.	0	3
	Cork, per cwt.	0	6
	Corpses, each	20	0
25	Crystal, per box or package	0	6
	Dogs, each	0	6
	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
30	Eggs, per box	0	3
	Fish (dried and salted), per cwt.	0	2
	„ (fresh not enumerated), per cwt.	0	2
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
35	„ „ per barrel	0	3
	Fruit, per bushel or sieve	0	4
	Furniture (household), per 5 cubic feet	0	4
	Glass, per large crate	1	6
	„ per small crate or case	1	0
40	„ per box	0	6
	Grains and seeds, per quarter	0	6
	Groceries (not enumerated), per quarter	0	6
	Guano, per ton	1	6
	Gunpowder, per barrel or keg	0	6
45	Hams, bacon, or tongues, per cwt.	0	4
	Hardware, per ton	2	6
	Hares and rabbits, per dozen	0	4
	Hay, per ton	1	6
	„ per truss	0	2
50	Hemp, per ton	2	0
	Herrings (fresh), per 1,000	0	3
	„ (cured), per barrel	0	3
	Hides:		
	Ox, cow, or horse (wet or dry), each	0	2
55	Iron:		
	Bar, bolt, rod, and shots, per ton	1	6
	Pig and old, per ton	1	0
	Manufactured, per ton	2	6
	Pots, each	0	1

Walton-on-the-Naze.

	s.	d.
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
„ „ under 10 inches, each	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cubic foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins (calf, goat, sheep, lamb, or dog), per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
„ „ „ per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
„ bottled, per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, of 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0

Walton-on-the-Naze.

		£.	d.
	Wood—*continued.*		
	Spars, under 22 feet in length, above 2½, and under 4 inches in diameter, per 120	5	0
	„ 2½ inches in diameter and under, per 120	4	0
5	„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
	„ above 4 and under 6 inches in diameter, per 120	14	0
	Spokes of wheels not exceeding 2 feet in length, per 120	2	0
	„ exceeding 2 feet in length, per 120	3	0
10	Treenails, per 1,000	2	6
	Wedges, per 1,000	2	6
	Pipe staves and others in proportion, per 120	2	6
	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
	Wood, per cwt.	0	4
15	Yarn, per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

	Light goods, per cubic foot	0	1
	Heavy goods, per ton	2	0
	In charging the rates on goods, the gross weight or measurement		
20	of all goods to be taken; and for any less weights, measures, and quantities than those specified, a proportion of the respective rates shall be charged.		

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Cranage.*

25	All goods or packages not exceeding 1 ton	0	4
	Exceeding 1 ton, and not exceeding 2 tons	0	6
	Exceeding 2 tons, and not exceeding 3 tons	0	8
	Exceeding 3 tons, and not exceeding 4 tons	0	10
	Exceeding 4 tons, and not exceeding 5 tons	1	0
30	Exceeding 5 tons, and not exceeding 6 tons	1	2
	Exceeding 6 tons, and not exceeding 7 tons	1	4
	Exceeding 7 tons, and not exceeding 8 tons	1	6
	Exceeding 8 tons, and not exceeding 9 tons	1	10
	Exceeding 9 tons, and not exceeding 10 tons	2	4
35	Exceeding 10 tons	3	6

2*nd. Weighing Machines.*

For goods weighed, for each ton or part of a ton

3*rd. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of
40 20 cwts., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers'
45 luggage, for each day or part of a day, per package 0 2

IV.—Rates for laying Water-Mains on Pier.

	Water, per ton	0	6

Walton-on-the-Naze.

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land at the pier from, or embark from it to, any steam vessel, ship, packet, or passage boat, or other sea-going vessel, for each and every time any sum not exceeding	0	0	6
For every person who shall land on the pier from, or embark from it to, any small boat or yacht, not being sea-going vessels, not exceeding	0	0	3
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2
For every bath or sedan-chair taken on the pier, for each and every time any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Walton-on-the-Naze, and using the said pier for the purpose of going into or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	0	2
Over 28 lbs., and not exceeding 84 lbs.	0	0	4
Over 84 lbs., and not exceeding 112 lbs.	0	0	5
Over 112 lbs., and not exceeding 140 lbs.	0	0	6
Over 140 lbs., and not exceeding 196 lbs.	0	0	7
Over 196 lbs., and not exceeding 2 cwts.	0	0	8
And for every cwt. beyond	0	0	4
And for every 20 lbs. weight in addition	0	0	1

CLEVEDON.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Clevedon in the County of Somerset.

Preamble. Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Clevedon Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Clevedon in the county of Somerset, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for levying tolls, rates, and duties, not exceeding those in the Schedule hereto annexed, and for the incorporation of a Company for the carrying out the objects aforesaid:

And

Clevedon.

And whereas the estimated expenditure on the proposed work is twenty thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Clevedon Pier Company.

Incorporation of Company.

1. The following persons, namely, Charles Lempriere, John Scott Smith, George Greenway Hunt, and all other persons and corporations who have subscribed or who may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of The Clevedon Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Clevedon Pier Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Companies Clauses Act.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be the sum of twenty thousand pounds, in two thousand shares of ten pounds each.

Calls.

5. No call shall exceed three pounds per share or be made payable within two months of any previous call.

Borrowing powers.

6. The Company may, from time to time, with the sanction of a general meeting of the Company specially convened for the purpose, borrow on mortgage or bond at interest, for any time not exceeding five years, such sums of money as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of twenty thousand pounds is subscribed for or taken, and until one half thereof is paid up, and until the Company prove to the Justice who is to certify under the Companies Clauses

Clevedon.

Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same.

Receiver.

7. The mortgagees of the Company may enforce the payment of arrears of interest, or the arrears of principal and interest, due on their respective mortgages by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds.

Power to create preference shares.

8. The Company may, by the resolution of a general meeting specially convened, such resolution being adopted by not less than three fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion, not exceeding one third part, of the shares then subscribed for or taken shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company.

No interest or dividend out of calls.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purpose of Order.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First General Meeting.

12. The first general meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order at such time and place as the directors determine.

Number of directors.

13. The number of the directors shall not be more than five or less than three.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. The three persons herein-before named may, by writing under their hands, nominate the persons who shall, either conjointly with themselves, or any of them, or otherwise, be the first directors of the Company, and the directors so nominated shall continue in office until the first general meeting of the Company.

Qualification.

16. The qualification of a director elected by the shareholders or nominated as aforesaid shall be the holding in his own right of not less than twenty shares in the capital of the Company.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors in such a manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration divisible among the directors shall be at the rate of fifty pounds per annum.

Lands.

Power to take specified lands by agreement.

18. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of

of the lands shown on the plans as intended to be taken for the purposes of the proposed pier and works.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Recovery of rentcharge by means of receiver.

20. Where under the last-mentioned Acts a rentcharge is reserved on a sale of lands to the Company, and it is agreed between the vendor and the Company that the same shall be recoverable by means of a receiver, the person to whom the rentcharge is payable may, without prejudice to any other remedy, obtain the appointment of a receiver in like manner, and with the like effect in all respects, as if he were a mortgagee of the Company empowered to enforce payment of arrears of interest due on his mortgage by the appointment of a receiver.

Works.

Power to make works.

21. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

22. The works authorized by this Order comprise the following:

A pier, with all proper works, tramways, approaches, and other conveniences connected therewith, situate wholly in the parish of Clevedon and county of Somerset, commencing at or near the south-western corner of the wall surrounding the Rock House public house, near the point or place on the shore of the Bristol Channel called Rock House Point in the said parish, and running out into the sea in a west-north-westerly direction, and terminating twelve hundred feet or thereabouts from the said Rock House Point.

Rates.

Power to take rates in schedules.

23. The Company may demand and receive, over and above any rates, tolls, and dues which may be levied and taken by the mayor, aldermen, and burgesses of the city of Bristol, in respect of the vessels, goods, and things in the Schedule hereto described, any rates not exceeding the rates in that Schedule specified.

Exemption of Custom House officers from rates.

24. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, through, and out of the pier and works by land, and with their vessels and otherwise, without payment.

Application of rates.

25. The rates received under this Order shall be applicable for the purposes and in the order following:

1. To the maintenance of the works authorized by this Order:
2. In payment, to an extent not exceeding one fifteenth part of such rates, of any rent or rentcharge payable in respect of any lands acquired by the Company under this Order:
3. In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money:
4. In payment of dividend on any preference shares created under this Order:
5. To the use and for the purposes of the Company.

General Provisions.

Company may provide steam engines, &c.

26. The Company may provide such steam engines, steam vessels, piling engines, diving bells, barges, boats, and other machinery and vessels as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable.

Company may contract with persons for use of pier.

27. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period, not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass tickets, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act.

Part V. of 24 & 25 Vict. c. 47. to apply.

28. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by the Order.

Saving rights of corporation of Bristol.

29. Nothing in this Order shall prejudice, diminish, alter, or take away any right, toll, rate, or duty belonging to or vested in the mayor, aldermen, and burgesses of the city of Bristol, within the limits of the port of Bristol.

Short title.

30. This Order may be cited as The Clevedon Pier Order, 1864.

Board of Trade, Whitehall.
Dated this 11th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons, and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons, and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons, and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons, and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
„ per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*

		s.	d.	Clevedon.
	Beef or pork, per cwt.	0	3	
	,, per barrel	0	6	
	Biscuit or bread, per cwt.	0	3	
5	Blubber, per ton of 252 gallons	3	0	
	Bones and bone dust, per ton	1	6	
	Bottles, per gross	0	9	
	Bricks, per 1,000	1	6	
	Butter and lard, per barrel	0	6	
10	,, per firkin	0	3	
	Cables, iron or hempen, per ton	3	0	
	Canvas, per bolt	0	1	
	Casks (empty), not being returned packages, per puncheon	0	3	
	Other casks in proportion.			
15	Cattle:			
	Bulls, cows, and oxen, each	3	0	
	Calves, each	1	0	
	Horses, each	4	0	
	Pigs, each	0	6	
20	Sheep, each	1	0	
	Chalk, per ton	1	0	
	Cheese, per cwt.	0	4	
	Chimney-pots, each	0	3	
	Clay, per ton	1	0	
25	Cloth, haberdashery, &c., per package not exceeding 1 cwt.	0	6	
	Carriages:			
	Chaises and other four-wheeled carriages, each	7	6	
	Gigs, carts, and other two-wheeled carriages, each	5	0	
	Hand-carts and perambulators, each	1	0	
30	Coals, per ton	1	0	
	Copper, per ton	3	0	
	Cordage, per cwt.	0	3	
	Cork, per cwt.	0	6	
	Corpses, each	20	0	
35	Crystal, per box or package	0	6	
	Dogs, each	0	6	
	Drugs (in casks, hampers, or boxes), per foot	0	2	
	Earthenware (in casks, hampers, or boxes), per foot	0	2	
	Earthenware (in crates), per foot	0	1	
40	Eggs, per box	0	3	
	Fish (dried and salted), per cwt.	0	2	
	,, (fresh not enumerated), per cwt.	0	2	
	Flax, per ton	2	0	
	Flour and meal, per sack	0	4	
45	,, ,, per barrel	0	3	
	Fruit, per bushel or sieve	0	4	
	Furniture (household), per 5 cubic feet	0	4	
	Glass, per large crate	1	6	
	,, per small crate or case	1	0	
50	,, per box	0	6	
	Grains and seeds, per quarter	0	6	
	Groceries, not enumerated, per cwt.	0	6	
	Guano, per ton	1	6	
	Gunpowder, per barrel or keg	0	6	
55	Hams, bacon, or tongues, per cwt.	0	4	
	Hardware, per ton	2	6	
	Hares and Rabbits, per dozen	0	4	
	Hay, per ton	1	6	
	,, per truss	0	2	

Clevedon.

	s.	d.
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
„ (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
„ „ under 10 inches, each	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cubic foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per ton	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and Tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins (calf, goat, sheep, lamb, or dog), per dozen	0	6
Slates, per ton of 24 cubic feet	0	2
Spirits (Foreign and British), per hogshead	1	0
„ „ „ per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0

		s.	*d.*	*Clevedon.*
	Water, per cask	*0*	*3*	
	Wine, per hogshead	*1*	*0*	
	„ (bottled), per dozen bottles	*0*	*2*	
	Wood:			
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	*1*	*6*	
	Oak or wainscot, per load of 50 feet	*2*	*0*	
	Firewood, of 216 cubic feet fathom	*1*	*6*	
	Lath and lathwood, per fathom of 216 cubic feet	*2*	*6*	
	Handspikes, per 120	*3*	*0*	
	Oars, per 120	*5*	*0*	
	Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	*5*	*0*	
	„ 2½ inches in diameter and under, per 120	*4*	*0*	
	„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	*9*	*0*	
	„ above 4 and under 6 inches in diameter, per 120	*14*	*0*	
	Spokes of wheels not exceeding 2 feet in length, per 120	*2*	*0*	
	„ exceeding 2 feet in length, per 120	*3*	*0*	
	Treenails, per 1,000	*2*	*6*	
	Wedges, per 1,000	*2*	*6*	
	Pipe staves, and others in proportion, per 120	*2*	*6*	
	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	*2*	*0*	
	Wool, per cwt.	*0*	*4*	
	Yarn, per cwt.	*0*	*2*	

All other Goods not particularly enumerated in the above Table.

	Light goods, per cubic foot	*0*	*1*
	Heavy goods, per ton	*2*	*0*
	In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those specified, a proportion of the respective rates shall be charged.		

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Cranage.

	All goods or packages not exceeding 1 ton	*0*	*4*
	Exceeding 1 ton, and not exceeding 2 tons	*0*	*6*
	Exceeding 2 tons, and not exceeding 3 tons	*0*	*8*
	Exceeding 3 tons, and not exceeding 4 tons	*0*	*10*
	Exceeding 4 tons, and not exceeding 5 tons	*1*	*0*
	Exceeding 5 tons, and not exceeding 6 tons	*1*	*2*
	Exceeding 6 tons, and not exceeding 7 tons	*1*	*4*
	Exceeding 7 tons, and not exceeding 8 tons	*1*	*6*
	Exceeding 8 tons, and not exceeding 9 tons	*1*	*10*
	Exceeding 9 tons, and not exceeding 10 tons	*2*	*4*
	Exceeding 10 tons	*3*	*6*

2nd. Weighing Machines.

	For goods weighed, for each ton or part of a ton		

Clevedon.

	s.	d.	
3rd. Shed Dues.			
For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwts., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.			5
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	*0*	*2*	

IV.—Rates for Laying Water Mains on Pier. 10

Water, per ton	*0*	*6*	

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.	
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	*0*	*0*	*6*	15
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	*0*	*0*	*2*	
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding	*0*	*0*	*6*	20
For every perambulator	*0*	*0*	*2*	
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Clevedon, and using the said pier for the purpose of going into or returning from his own vessel, boat, or wherry, an annual sum not exceeding	*1*	*0*	*0*	25

VI.—Rates on Passengers' Luggage.

	s.	d.	
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	*0*	*2*	
Over 28 lbs., and not exceeding 84 lbs.	*0*	*4*	30
Over 84 lbs., and not exceeding 112 lbs.	*0*	*5*	
Over 112 lbs., and not exceeding 140 lbs.	*0*	*6*	
Over 140 lbs., and not exceeding 196 lbs.	*0*	*7*	
Over 196 lbs., and not exceeding 2 cwts.	*0*	*8*	
And for every cwt. beyond	*0*	*4*	35
And for every 20 lbs. weight in addition	*0*	*1*	

RHYL.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Rhyl, in the County of Flint.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Rhyl Promenade Pier Company Limited made application by a Memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Rhyl, in the county of Flint, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls not exceeding those herein-after specified: Preamble.

And whereas the estimated expenditure on the proposed works is thirteen thousand pounds and no more:

And whereas the promoters have published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

1. The Rhyl Promenade Pier Company Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order. Undertakers.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order. Incorporation of Lands Clauses Act.

Rhyl.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade may require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier commencing below the east parade opposite or near to the end of Church Street, with limits of deviation laterally to the baths on the east, and to High Street on the west, in the parochial township of Rhyl, in the parish of Rhydlan, in the county of Flint, and extending seaward one thousand and fifty-six yards or thereabouts in a north-easterly direction.

Power to take rates according to Schedule.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described any sums not exceeding the rates in the Schedule specified.

Company may contract with persons for the use of the pier.

Pass tickets not to be transferable.

7. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms and for such a period, not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847, (for all the purposes of which Act this Order shall be deemed the special Act,) and the company may from time to time enter into a contract or contracts with any person or persons, company or body corporate, for any period not exceeding one year, for a composition or reduced payment or payments in respect of the tolls, rates, charges, and duties in the Schedule hereto, or any part or parts thereof, but so that no preference be given to any such person or persons, company or body corporate, respectively.

Exemption of Custom House officers from rates.

8. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels, and otherwise, without payment.

Lands for extraordinary purposes.

9. The Company shall not purchase for extraordinary purposes (within the meaning of The Harbours, Docks, and Piers Clauses Act, 1847,) lands exceeding in the whole two acres.

Meters and weighers.

10. The Company shall have the appointment of meters and weighers on the pier.

Steam engines, diving bells, lighters, &c.

11. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels, and also such tramways and carriages, as they may think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they may think reasonable.

12. Part

12. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the pier authorized by this Order. Part V. of 24 & 25 Vict. c. 47. to apply.

13. No cattle (except horses), and no bark, bones, or bone-dust, bricks, chalk, clay, coals, guano, gunpowder, hay, lime, limestone, minerals, manure, ores, or old ropes, slates, stones, tiles, or other such like heavy goods or merchandise, shall be landed on or embarked from the pier authorized by this Order at any time in the daytime after the hour of six o'clock in the morning, or before the hour of ten o'clock at night, from the first day of May to the first day of November in every year, without the consent in writing of the Improvement Commissioners of the town of Rhyl (for the time being) under their common seal for that purpose first had and obtained. Limitations as to heavy traffic.

14. This Order may be cited as The Rhyl Promenade Pier Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 15th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons, and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons, and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons, and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale, bottled, per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Beef or pork, per barrel	*0*	*6*
Biscuits or bread, per cwt.	*0*	*3*
Blubber, per tun of 252 gallons	*3*	*0*
Bones and bone dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*1*	*6*
Butter and lard, per barrel	*0*	*6*
Ditto, per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*

Rhyl.

	s.	d.
Canvas, per bolt	0	1
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Casks (empty) not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	0	6
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Corks, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes) per foot	0	2
Earthenware (in crates) per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh, not enumerated	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Furniture (household) per 5 cubic feet	0	4
Fruit, per bushel or sieve	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	6
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries not enumerated, per cwt.	0	6
Guano, per ton	1	0
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0

		s.	*d.*	*Rhyl.*
	Lead, per ton	*2*	*6*	
	Leather (tanned and dressed), per cwt.	*0*	*4*	
	Lime, per 28 bushels	*1*	*4*	
5	Limestone, per ton	*1*	*0*	
	Machinery, per ton	*2*	*6*	
	Manure (not enumerated), per ton	*1*	*0*	
	Masts and spars, ten inches in diameter and upwards, each	*4*	*6*	
	Ditto, under ten inches, each	*3*	*0*	
10	Meat (fresh), per cwt.	*0*	*6*	
	Milk, per gallon	*0*	*0½*	
	Musical instruments, per cubic feet	*0*	*1*	
	Nets, per 5 cubic feet	*0*	*4*	
	Oakum, per cwt.	*0*	*2*	
15	Oils, per ton	*2*	*0*	
	Oil cake, per ton	*2*	*0*	
	Oranges and lemons, per box	*0*	*6*	
	Ores, per ton	*1*	*0*	
	Oysters, per bushel	*0*	*3*	
20	Paint, per cwt.	*0*	*4*	
	Pitch and tar, per barrel	*0*	*6*	
	Potatoes, per cwt.	*0*	*2*	
	Poultry and game, per dozen	*0*	*4*	
	Rags and old rope, per ton	*2*	*0*	
25	Sails, per cwt.	*0*	*6*	
	Salt, per cwt.	*0*	*1*	
	Sand, per ton	*1*	*0*	
	Shrimp baskets, each	*0*	*2*	
	Skins: calf, goat, sheep, lamb, or dog, per dozen	*0*	*6*	
30	Slates, per ton of 24 cubic feet	*2*	*0*	
	Spirits (Foreign or British), per hogshead	*1*	*0*	
	Ditto, per gallon	*0*	*1*	
	Stones, per ton of 16 cubic feet	*1*	*6*	
	Steel, per ton	*3*	*0*	
35	Sugar, per cwt.	*0*	*3*	
	Tallow, soap, and candles, per cwt.	*0*	*3*	
	Tea, per chest	*1*	*0*	
	Tiles, per thousand	*1*	*6*	
	Tin and zinc, per ton	*3*	*0*	
40	Tobacco, per cwt.	*0*	*6*	
	Turbot, per score	*0*	*3*	
	Turnips, per ton	*0*	*6*	
	Turpentine and varnish, per barrel	*0*	*6*	
	Turtle, each	*2*	*6*	
45	Vegetables (not enumerated), per cwt.	*0*	*4*	
	Vinegar, per hogshead	*0*	*6*	
	Vitriol, per carboy	*0*	*1*	
	Water, per cask	*3*	*0*	
	Wine, per hogshead	*1*	*0*	
50	Ditto (bottled), per dozen bottles	*0*	*2*	
	Wood:			
	Fir, pine, and other descriptions, not enumerated, per load of fifty feet	*1*	*6*	
	Oak or wainscot, per load of fifty feet	*2*	*0*	
55	Firewood, per 216 cubic feet fathom	*1*	*6*	
	Laths and lathwood, per fathom of 216 cubic feet	*2*	*6*	
	Handspikes, per one hundred and twenty	*3*	*0*	
	Oars, per one hundred and twenty	*5*	*0*	

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	s.	d.
Wood—*continued.*		
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per one hundred and twenty	5	0
Ditto, 2½ inches in diameter and under, per one hundred and twenty	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per one hundred and twenty	9	0
Ditto, above 4 and under 6 inches in diameter, per one hundred and twenty	14	0
Spokes of wheels, not exceeding 2 feet in length, per one hundred and twenty	2	0
Ditto, exceeding 2 feet in length, per one hundred and twenty	3	0
Ditto, treenails, per thousand	2	6
Ditto, wedges, per thousand	2	6
Pipe staves, and others in proportion, per one hundred and twenty	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2
All other Goods not particularly enumerated in the above Table.		
Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement on all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2*nd. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*rd. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates for Laying Water Mains on Pier.

	s.	d.
Water, per ton	0	6

V.—Rates on Passengers Landing on or Embarking from the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Rhyl, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers' Luggage Landed or Shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every 20 lbs. weight in addition	0	1

BRAY.

Provisional Order of the Board of Trade for the Construction of Works at Bray in the County of Wicklow, in addition to those authorized by The Bray Pier and Harbour Order, 1863; *and for other Purposes.*

Whereas by The Pier and Harbour Orders Confirmation Act, 1863, The Bray Pier and Harbour Order, 1863, set out in the Schedule thereto, made under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, empowering the Bray Pier and Harbour Company, herein-after called the Company, to make and maintain a Pier and Harbour at Bray, in the county of Wicklow, was confirmed (which Order is herein-after called the Order of 1863): Preamble.

Bray.

And whereas, under the two last-mentioned Acts, the Company made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order authorizing the construction of additional works, and the raising of further capital in the manner herein-after mentioned, and for other purposes:

And whereas the estimated expenditure on the proposed works is three thousand pounds, and no more:

And whereas the Company published the advertisements and deposited the documents which, by the thirdly-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Lands.

Power to take specified lands by agreement.

1. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

2. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

3. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Works.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:—

A Pier or Jetty, commencing at or near to the Martello Tower which is situated on Bray Strand, between the railway station at Bray and the

point

point of Bray Head called Bray Point, and running nearly straight out to sea in a north-easterly direction, for a distance of three hundred yards or thereabouts from low-water mark: *Bray.*

with all proper works, approaches, landing places, and other conveniences connected therewith, for the recreation of the inhabitants and visitors of the town of Bray, and for the embarking and landing of passengers.

Rates.

Like rates as under Order of 1863.

6. The Company may demand and receive, for the pier or jetty and works authorized by this Order, the like rates as they are, by the Order of 1863, authorized to demand and receive for the pier and harbour thereby authorized.

Power to levy additional rates for purposes of Order of 1863 and this Order.

7. The Company, in addition to such rates as they are, by the Order of 1863, and by the foregoing provision of this Order, authorized to demand and receive, may demand and receive, as well for the pier and harbour authorized by the Order of 1863, as for the pier or jetty and works authorized by this Order, any sums not exceeding the rates in the Schedule hereto specified, in respect of the things in that Schedule described, anything in the Order of 1863 notwithstanding.

Shares: Management of Company.

Incorporation of parts of Companies Clauses Consolidation Acts, 1845 and 1863.

8. The provisions of The Companies Clauses Consolidation Act, 1845, so far as the same are applicable for the purposes of this Order, and Part I. (relating to cancellation and surrender of shares), and Part II. (relating to additional capital), of The Companies Clauses Act, 1863, shall be respectively incorporated with this Order, and shall, in all particulars not otherwise provided for by or under this Order, respectively apply to all shares and capital created, and to all money borrowed and mortgages granted, under this Order; and, in the construction of those provisions in connexion with this Order, the expression "the Special Act" shall mean this Order; the expression "the Company" shall mean the Bray Pier and Harbour Company; the expression "the Undertaking" shall mean the undertaking of the Company, and the provisions relating to the Superior Courts shall extend to any County or other Court having by law cognizance of the action.

Power to create new shares.

9. The Company may from time to time raise, for the purposes of this Order, any sum not exceeding in the whole three thousand pounds, by the creation and issue of three hundred shares of ten pounds each, to be called Extension shares.

Rights and qualification of new shareholders.

10. Subject to the other provisions of this Order, all Extension shares shall confer the like qualifications and rights of voting as the original shares of the Company confer, and the several persons who have subscribed, or hereafter subscribe, to the undertaking authorized by this Order, shall, in proportion to their respective subscriptions, be holders of Extension shares, and shall be called Extension share holders.

Amount and number of calls.

11. The amount of any one call to be made upon the Extension shares shall not exceed two pounds per share, and successive calls shall not be made at a less interval than three months.

New works and capital to constitute a separate undertaking and capital.

12. The pier or jetty and works authorized by this Order shall, for financial purposes, form a separate undertaking, and the capital and Extension shares created under this Order shall constitute a separate capital.

As to dividend on new shares.

13. The profits from time to time applicable to dividend of the pier or jetty and works authorized by this Order shall be wholly applied in payment of interest or dividend on the Extension shares, and the Extension share holders shall not in respect thereof be entitled to interest or dividend out of any other profits of the Company.

Separate accounts to be kept in respect of new shares.

14. Extension shares shall be so designated in the books of the Company and on the certificates issued for the same; and the Company shall keep separate accounts of all receipts and payments from, for, or on account of the pier or jetty and works authorized by this Order.

Restriction as to right of voting in respect of extension shares.

15. Extension shares shall not confer any right of voting or interference at any meeting of the Company on any question or proceeding not directly affecting the pier or jetty and works authorized by this Order.

Increase of number of directors.

16. From and after the passing of an Act confirming this Order the number of directors of the Company shall be seven, and the quorum of a meeting of the directors shall be three.

Mode of election of directors.

17. Five of the directors (the qualification of each of whom shall be the possession in his own right of not less than twenty original shares in the Company) shall be from time to time appointed by the original share holders under the Order of 1863, and two of the directors shall be from time to time appointed by the Extension share holders in manner herein-after directed; and any person being a director appointed by the original share holders shall, while he continues such director, be incapable of being elected a director by the Extension share holders; and any person being a director appointed by the Extension share holders shall, while he continues such director, be incapable of being elected a director by the original share holders.

Extension share holders to elect two directors of Company.

18. At the first ordinary meeting of the Company held in the year 1865, the Extension share holders present, personally or by proxy, at such meeting shall elect two directors, who shall continue in office until the first ordinary meeting of the Company held in the year 1866; and the Extension share holders shall from time to time, as often as vacancies occur by effluxion of time, at the meetings when directors in the room of retiring directors are chosen, elect two other directors, the qualification of each of whom shall be the possession in his own right of twenty Extension shares, and such two directors shall continue in office until the first ordinary meeting of the Company held in the then next succeeding year, and any outgoing director shall be re-eligible; and any occasional vacancy among such two directors may, subject to the provisions of this Order, be filled up in the manner prescribed in The Companies Clauses Consolidation Act, 1845, for the supplying of occasional vacancies in the office of directors; and the present directors of the Company, and those from time to time appointed by the original share holders, and the two directors to be appointed under this Order, shall, subject to the provisions of this Order, enjoy the like powers as if they had been elected by the whole of the shareholders of the Company.

19. The

19. The holders of original shares or stock in the Company shall not be entitled as such to vote at any meeting of the Company in regard to the election of directors by the Extension share holders, and Extension share holders shall not be entitled as such to vote at any meeting of the Company in regard to the election of directors by the original share holders. The two classes of shareholders to vote separately in election of their respective directors.

20. No director appointed by the original share holders shall be entitled to vote at the election of any director to fill up any vacancy among the directors appointed by the Extension share holders, and no such last-mentioned director shall be entitled to vote at the election of any director to fill up any vacancy among the directors appointed by the original share holders. As to vacancies amongst directors.

21. The Company may from time to time, under this Order, borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order; but no money shall be borrowed until the whole of the capital of three thousand pounds is subscribed for or taken, and until one-half thereof is actually paid up, and until the Company prove to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40 (before he so certifies), that all such capital has been subscribed for, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same (of which proof having been given, the certificate of such Justice under that section shall be sufficient evidence). Power to borrow.

22. The mortgagees of the Company under this Order may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver: the amount to authorize a requisition for a receiver shall be three hundred pounds. Receiver.

23. The Company shall not, out of any money raised under this Order, by calls or borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

24. The Company shall not, out of the money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposit under Standing Orders, &c.

25. Every part of the money so raised shall be applied only for purposes authorized by this Order. Money to be applied to purposes of Order.

Miscellaneous.

26. Nothing in this Order shall entitle vessels or boats to ship or unship, at the pier or jetty authorized by this Order, any sheep, cattle, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the pier or jetty for recreation or for the embarking or landing of passengers. Restriction on use of pier.

27. The limits within which the Company shall have authority (which shall be deemed the limits of the Order of 1863 and of this Order) shall extend from the Martello Tower which is situate on Bray Strand, in the county of Dublin, about five hundred yards or thereabouts north of the Bray River, across the mouth Limits of Harbour.

Bray.

mouth of the Bray River southward to the point of Bray Head, called Bray Point, in the county of Wicklow, and extending seaward for a distance of five hundred yards from high-water mark at ordinary spring tides between the aforesaid points.

Part of Harbours Clauses Act not incorporated.

28. Sections 16, 17, 18, and 19, of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Harbour authority.

29. The Company shall be the Harbour Authority for or in connexion with the pier and harbour authorized by the Order of 1863, and the pier or jetty and works authorized by this Order, within the prescribed limits.

Expenses of Order.

30. The costs, charges, and expenses of applying for and obtaining this Order, or preparatory or incident thereto, shall be paid by the Company out of the money raised under this Order.

Construction and short title.

31. This Order shall be read and construed (as far as may be), together with the Order of 1863, as one Order, and may be cited as The Bray Pier and Harbour (Extension) Order, 1864.

Board of Trade, Whitehall.
Dated this 16th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which the foregoing Order refers.

Additional Rates for the Pier and Harbour authorized by the Order of 1863, and for the Pier or Jetty authorized by the foregoing Order.

	s.	*d.*
For every bath or sedan chair taken on either pier or jetty, for each time	*0*	*6*
For every perambulator so taken, for each time, not exceeding	*0*	*4*
For every trunk, portmanteau, box, parcel, or other package of passengers' luggage, landed or shipped, not exceeding in weight 28 lbs.	*0*	*2*
Over 28 lbs. and not exceeding 84 lbs.	*0*	*4*
Over 84 lbs. and not exceeding 112 lbs.	*0*	*5*
Over 112 lbs. and not exceeding 140 lbs.	*0*	*6*
Over 140 lbs. and not exceeding 196 lbs.	*0*	*7*
Over 196 lbs. and not exceeding 2 cwt.	*0*	*8*

KIRCUBBIN.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Kircubbin, in the County of Down.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, Robert Edward Ward, of Bangor Castle, in the county of Down, Esquire, made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said Robert Edward Ward, as promoter, to execute the works herein-after mentioned at the port and harbour of Kircubbin aforesaid, and also to levy and recover harbour rates and duties, according to the Schedule annexed to the said memorial: Preamble.

And whereas the estimated expenditure on the said works is one hundred pounds and no more:

And whereas the promoter published the advertisements and deposited the documents which he was by the last-mentioned Act required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. The said Robert Edward Ward and his successors shall be the undertakers of the works authorized by this Order. Undertakers.

2. Subject to the provisions of this Order, the undertakers may, in or at the said harbour, and in the lines and on the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make works.

3. The works authorized by this Order comprise the following:— Description of works.

The repairing of the quay or pier, by repairing the paving of the roadway or surface thereof, and of the sea slope on the outside of the pier, and cleaning out and deepening the present harbour, and erecting mooring posts on the pier, or about the same.

Kircubbin.

Power to take rates in schedule.

4. From and after the completion of the proposed works (of which completion a certificate signed by the chairman of the Quarter Sessions having jurisdiction at the port of Kircubbin shall be conclusive evidence, which certificate such chairman shall sign and give on being satisfied of such completion), the undertakers may demand and receive in respect of the vessels, goods, and things described in the schedule hereto, at the said quay or pier, any sums not exceeding the rates in that schedule specified; but nothing in this Order shall prevent the undertakers from taking at the said quay or pier before the completion of the proposed works any rates which they would have been entitled to take there if this Order had not been made.

Exemption of Custom House officers.

5. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the pier and harbour by land, and with their vessels and otherwise, without payment.

Application of receipts.

6. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

(1.) In paying the expenses of, and connected with the applying for, obtaining, and making of this Order.

(2.) In paying the expenses of the maintenance, management, and regulation of the existing harbour and works, and of the new works authorized by this Order.

(3.) And as to the surplus revenue of the harbour, that is to say, so much of the rates as may remain after answering the purposes aforesaid, the same shall be applicable by the undertakers to and for their own proper use and benefit.

Exception of parts of the Harbours Clauses Act.

7. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; namely, Sections 16, 17, 18, 19, 25, 26, 49, and 50.

Meters and Weighers.

8. The undertakers shall have the appointment of meters and weighers within the harbour.

Providing engines, lighters, &c.

9. The undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Pilotage and lights, buoys and beacons.

10. The undertakers shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities.

Short title.

11. This Order may be cited as The Kircubbin Harbour Order, 1864.

Board of Trade, Whitehall,
Dated this 18th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHE-

SCHEDULE referred to in the foregoing Order.

Kircubbin.

I.—Rates on Vessels entering or using the Harbour or Pier.

	s.	d.
For every vessel, per register ton	0	2

All pleasure boats, boats entirely open, and fishing boats exempt.

II.—Rates on Goods shipped or unshipped, received or delivered, within or at the Harbour or Pier.

	s.	d.
Bricks, per ton	0	0½
Cattle, bulls, cows, oxen, and horses, each	0	1
Cattle, calves, pigs, sheep, and lambs, per score	0	3
Clover seed, per sack	0	1½
Coals, per ton	0	0½
Deals, per 120	1	0
Flour, per ton	0	3
Potatoes, per ton	0	1
Gunpowder, per barrel	0	0½
Iron, per ton	0	1½
Lead or other ores, per ton	0	3½
Meal, per ton	0	1½
Salt rock, per ton	0	1
Slates, per ton	0	1
Stones (other than limestone), per ton	0	1½
Tiles, per 1,000	0	2
Timber of all kinds, except deals, per load of 50 feet	0	2
All other Goods not particularly enumerated above, except Limestone.		
Light goods, per barrel bulk	0	1
Heavy goods, per ton	0	2

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk, but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a barrel bulk.

III.—Rates for the Cranes, Weighing Machines, and Sheds provided at the Harbour or Pier.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding one ton	0	1½
Exceeding one ton, and not exceeding two tons	0	2
Exceeding two tons, and not exceeding three tons	0	3
Exceeding three tons, and not exceeding four tons	0	4
Exceeding four tons, and not exceeding five tons	0	5
Exceeding five tons, and not exceeding six tons	0	6
Exceeding six tons	0	7

2nd. Weighing Machines.

For goods weighed, 1*d.* for each ton or part of a ton.

3rd. Shed Dues.

For each ton of goods of eight barrels bulk or for each ton of goods of 20 cwt. which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

WALTON (SUFFOLK).

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Walton in the County of Suffolk.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Walton (Suffolk) Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth that the construction of a pier at Walton in Suffolk would be of great public and local advantage, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the execution of the works, and for the levying of rates and tolls not exceeding those mentioned in the Schedule hereto annexed, and also for the incorporation of a company:

And whereas the estimated expenditure upon the proposed works is one thousand eight hundred pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of the General Pier and Harbour Act, 1861, and the General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Walton (Suffolk) Pier Company.

Incorporation of Company.

1. The following persons, namely, John Chevallier Cobbold, Stephen Charles Hope, and Henry Chevallier Cobbold, and all other persons and corporations who have already subscribed or may subscribe to the undertaking by this Order authorized, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the pier and works by this Order authorized, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated

rated by the name of the Walton (Suffolk) Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order. *Walton (Suffolk).*

2. The Walton (Suffolk) Pier Company (herein-after called the Company) shall be the undertakers of the works authorized by this Order. The undertakers.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order. Companies Clauses Act incorporated.

4. The capital of the Company shall be two thousand pounds in two hundred shares of ten pounds each. Capital.

5. No calls shall exceed two pounds per share; successive calls shall not be made at a less interval than three months. Calls.

6. The Company may from time to time borrow on mortgage or bond at interest such sums of money as may be required for the purposes of the works authorized by this Order, but no money shall be borrowed until the whole of the capital of two thousand pounds is subscribed for or taken, and until one half thereof is actually paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section forty, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same (of which proof having been given the certificate of such Justice under that section shall be sufficient evidence). Borrowing from time to time.

7. The mortgagees of the Company may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver; the amount to authorize a requisition for a receiver shall be two hundred pounds. Receiver.

8. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him, but this provision shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions in The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

9. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposits under Standing Orders.

10. Every part of the money so raised shall be applied only for purposes by this Order authorized. Money to be applied to purposes of Order.

11. The first general meeting of the Company shall be held within three months after the passing of an Act of Parliament confirming this Order. First General Meeting.

12. The number of directors shall be three, with power to the Company to increase the number, but not beyond five. Number of directors.

13. The quorum of a meeting of directors shall be two. Quorum of directors.

14. The persons herein-before named shall be the first directors. First directors.

Walton (Suffolk).

Qualification of directors.

15. The qualification of a director shall be the possession in his own right of not less than ten shares.

Lands.

Power to take specified land by agreement.

16. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

17. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Land for extraordinary purposes.

18. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Works.

Power to make works.

19. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of the deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

20. The works by this Order authorized comprise the following:

A pier in the parish of Walton in the county of Suffolk, to be constructed between the present pier or jetty and the Martello Tower Battery at Walton, and to extend from high-water mark to about fifty-five yards below low-water mark, together with all necessary and convenient quays, wharfs, jetties, landing places, works, and conveniences connected with the said pier.

Rates.

Power to take rates according to schedule to this Order.

21. The Company may demand and receive in respect of the vessels, goods, persons, and things in the schedule hereto described any sums not exceeding the rates in that schedule specified.

Custom House officers exempt from rates.

22. Officers of the Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Restriction on use of pier.

23. Nothing in this Order shall entitle vessels or boats, excepting with the consent of the Company, to ship or unship at the pier any sheep or cattle.

Power of Company to contract with persons for use of pier.

24. The Company may grant to foot passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such periods not exceeding one year, as may be agreed on, but so that no preference be given to any person; such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use; if any person acts in any way contrary to this provision, or uses or attempts to use any false or counterfeit ticket, he shall for

every

every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act. *Walton (Suffolk).*

General Provisions.

25. The Company shall have the appointment of meters and weighers on or in connexion with the pier. Meters and weighers.

26. Sections 16, 17, 18, and 19 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order. Life-boats, tide-gauges, &c.

27. This Order may be cited as The Walton (Suffolk) Pier Order, 1864. Short title.

Board of Trade, Whitehall,
Dated this 19th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burthen of fifteen tons, per ton	*3*	*0*
For every vessel of the burthen of fifteen tons and upwards, per ton	*4*	*0*
For every vessel of the burthen of fifty tons, and under one hundred tons, per ton	*0*	*6*
For every vessel of the burthen of one hundred tons, and under one hundred and fifty tons, per ton	*0*	*8*
For every vessel of the burthen of one hundred and fifty tons and upwards	*0*	*10*

II.—Rates on Persons Landing at or Embarking from or using the Pier.

For every passenger or other person who shall land from or embark on board of any vessel, for each and every time, any sum not exceeding	*0*	*2*
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	*0*	*1½*

III.—Rates on Goods Shipped or Unshipped at the Pier.

Anchors, per hundredweight	*0*	*3*
Ashes, per barrel	*0*	*1*
Alum, per hundredweight	*0*	*1*
Anchovies, per barrel	*0*	*1*
Anchor stock, per foot run	*0*	*1*

Walton (Suffolk).

	s.	d.
Apples and pears, per sack of three bushels	0	2
Asparagus, per basket	0	2
Ale, porter, beer, cyder, or perry, per butt	0	4
per cask	0	1
per hogshead	0	2
per half hogshead, or other less quantity	0	1
in bottles, per twelve dozen	0	2
Bran or pollard, per eight bushels	0	1
Beer, table, per nine gallons	0	1
Beef or pork, contained in any cask, per hundredweight	0	1
Barrel boards or staves, per thousand	0	9
Butt staves, per hundred	1	0
And all other staves in proportion.		
Battens, Petersburg, per hundred	0	6
Boards or battens, close, per hundred	0	4½
Billiard table	2	6
Bedstead, mahogany	0	3
every other	0	2
Bricks, per thousand	0	4½
Barilla, per ton	1	0
per seron	0	2
Bolt of canvas, No. 1, 2, 3	0	0½
every other	0	1
Butt, pipe, or puncheon, entire or in staves, each	0	1
Bottles, empty, per dozen	0	1
Bale, every box, truss, trunk, case, chest, bundle, or parcel containing goods not enumerated in Schedule, per cubic foot	0	0½
Ditto per hundredweight	0	1
Basket or maund, containing goods not enumerated in Schedule	0	4
smaller, each	0	3
empty, per dozen	0	1
Beef or pork, per tierce	0	4
per barrel	0	1
Butter, per barrel	0	1
or cheese, per hundredweight	0	1
Biscuit, per bag	0	1½
Beans and peas, per sack	0	1
Bottles, full, in hampers, per dozen	0	2
Brooms, hair, and mops, per dozen	0	0½
Bacon, per side	0	1
Beef, per hundredweight	0	1
Bedding, seamen's	0	1
Currants or raisins, per hundredweight	0	1
Coffee, per hundredweight	0	1
Copper or brass, wrought or unwrought, per hundredweight	0	1
Chalk stones, rough or hewn, per ton	0	4
Cordage, per hundredweight	0	1½
Clover seed, per sack	0	3
Calf skins, per dozen	0	4
Colours, per firkin	0	1
Carboys, each	0	2
Coals, culm, splint, coke, or cinder, per ton	0	6
Chest of drawers, double	0	8
single	0	5
Chairs, per dozen	0	6
Chairs, each	0	1
Chimney-pots, each	0	1
Cabbages, per dozen	0	1

Walton (Suffolk).

		s.	*d.*
	Carrots, and vegetable roots, per hundred	*0*	*1*
	Deals, per load, containing fifty cubic feet	*0*	*9*
	Dogs, each	*0*	*2*
5	Earthenware, per large crate	*0*	*6*
	per small crate	*0*	*3*
	Fish, per pot, prickle, or pad	*0*	*1*
	per ton	*1*	*0*
	per trunk	*0*	*1*
10	Fish, per bushel or sieve	*0*	*1*
	Fruit, per bushel or sieve	*0*	*1*
	Flour, per sack of five bushels	*0*	*1*
	Faggots, per hundred	*0*	*3*
	Fire wood, per cord	*0*	*3*
15	Feathers, per hundredweight	*0*	*1*
	Foxes, each	*0*	*6*
	Fowls, and every other sort of Poultry, per head	*0*	*1*
	Flint stones, per ton	*0*	*1*
	Glass ware, per large crate	*0*	*6*
20	per small crate	*0*	*3*
	window, per crate	*0*	*4*
	Grindstones, each	*0*	*1*
	Grate or range, large	*0*	*6*
	small	*0*	*3*
25	Gunpowder, per barrel	*0*	*6*
	Garden stuff, per bushel or sieve	*0*	*1*
	Guano, per ton	*0*	*9*
	Hay, per load of thirty-six trusses	*0*	*6*
	Hops, per bag	*0*	*3*
30	per packet	*0*	*2*
	Hams, bacon, or tongues, per hundredweight	*0*	*1*
	Herrings, red, per barrel	*0*	*2*
	Hogshead, packed with goods not enumerated in Schedule	*0*	*6*
	Hoops, per bundle	*0*	*1*
35	Hurdles, per hundred	*0*	*10*
	Hardware, per cask or box	*0*	*6*
	Harpsichord	*1*	*0*
	Harps, each	*0*	*8*
	Hemp, per hundredweight	*0*	*1*
40	Hares, pheasants, and all other game, per head	*0*	*1*
	Hides, raw or tanned	*0*	*1*
	Iron, per hundredweight	*0*	*1*
	per ton	*1*	*0*
	pots, each	*0*	*1*
45	Kelp, per ton	*0*	*6*
	Laths, per twenty bundles	*0*	*3*
	Lath wood, six feet per fathom	*0*	*6*
	five feet ditto	*0*	*4*
	Lead, per hundredweight	*0*	*1*
50	Lead, per ton	*1*	*0*
	Lime, per load of twenty-eight bushels	*0*	*1*
	Leather, per hide	*0*	*3*
	Leeks, per dozen bundles	*0*	*1*
	Lumber and every other article not specified before in this Table, per		
55	foot cube	*0*	*1*
	dosser hundredweight	*0*	*1*
	Meal or middlings, per hundredweight	*0*	*1*
	Mahogany, in logs or planks, per foot cube	*0*	*1*
	Masts, ten inches in diameter or upwards, each	*2*	*0*

Walton (Suffolk).

	s.	d.
Masts under ten inches, each	0	9
Millstones, large, each	0	6
small, each	0	4
Molasses, per puncheon	0	4
Mustard, per thirty pound barrel	0	1
Marble, per ton	1	0
Nails, per bag	0	1
Nuts, per bag	0	1
Oil cakes, per thousand	0	9
Oranges and lemons, per chest	0	3
per half chest	0	2
Oil, train, or fish, per barrel, and so on in proportion for any greater or smaller quantity	0	4
Oak or elm planks, per load, containing thirty cubic feet	0	6
Oysters, per bushel	0	1
per firkin or smaller barrel	0	1
Oil cake, per hundredweight	0	3
Ovens, each	0	3
Ordnance pieces of brass or iron, per hundredweight	0	2
Onions, per bushel	0	1
Oatmeal, per sack	0	1
Oil, per pipe	0	6
per hogshead	0	2
per half hogshead	0	1
per jar	0	1
per chest	0	1
per half chest	0	1
Potatoes, per barrel	0	1
per ton	0	9
per sack of three bushels	0	1
Plums, per box	0	1
Pale cleft, per thousand	0	9
Posts and rails, per load of fifty cubic feet	0	6
Peas and rice, per sack	0	1
Pewter, wrought, per hundredweight	0	1
old	0	1
Pianofortes, each	2	0
Pitch and tar, per barrel	0	2
Paper, per cwt.	0	6
Straw, per load	0	6
Sugar loafs, per hundredweight	0	1
raw, per hundredweight	0	1
Salt, per hundredweight	0	1
Spars, per score	0	3
Solder, per hundredweight	0	1
Sofas, each	0	6
Stone, per ton	0	6
paving, per ton	0	6
Slate, per ton, containing twenty-four cubic feet	0	6
Stove, register	0	4
Stove, other	0	3
Sedan chairs, each	0	6
Salmon, per kit or basket	0	1
Skins, goat, dog, calf, sheep, or lamb, per doz.	0	4
Soap, per hundredweight	0	1
Starch, per hundredweight	0	1
Staves, pipe, per hundred	0	1
hogshead, per hundred	0	1
barrel, per hundred	0	1
ends, per hundred	0	1

		s.	*d.*
	Shoes or boots, per box or hamper	*0*	*6*
	Shot, per bag	*0*	*1*
	Salt fish, per hundredweight	*0*	*1*
5	Spades and shovels, per doz.	*0*	*2*
	Shrimp baskets, each	*0*	*0½*
	Tallow, soap or candles, per hundredweight	*0*	*1*
	Tea, per quarter chest	*0*	*2*
	And so on in proportion for any greater or less quantity than half chest.		
10	Tar, per cask	*0*	*2*
	Treacle, per hundredweight	*0*	*1*
	Timber, per load, containing fifty cubic feet	*0*	*6*
	Tables, dining, per set	*1*	*1*
	other dining tables, each	*0*	*6*
15	card or pembroke, each	*0*	*3*
	every other, each	*0*	*3*
	Tombstones, each	*1*	*6*
	marble	*2*	*6*
	Tiles, plain, per thousand	*0*	*3*
20	hip or gutter, per thousand	*0*	*4*
	ridge or pantiles, per thousand	*0*	*6*
	mathematical, per thousand	*0*	*9*
	Tiles, paving, per thousand	*0*	*3*
	Turtle, each	*0*	*10*
25	Tobacco and snuff, per hundredweight	*0*	*1*
	Tallow, per hundredweight	*0*	*1*
	Tin, per cwt.	*0*	*2*
	Turbot, per score	*0*	*1*
	Trunk, portmanteau, or bundle, each	*0*	*1*
30	Vats packed with goods not enumerated in Schedule, each per foot cube	*0*	*1*
	per hundredweight	*0*	*1*
	Violins or bass viols, or other stringed instruments (except harps), each	*0*	*2*
	Vinegar, per hogshead	*0*	*4*
35	Wheat, oats, &c., per quarter	*0*	*2*
	Wool, yarn or cotton, per hundredweight	*0*	*4*
	Wine (not British), sweet oil, or spirits, for every gallon contained in any butt, pipe, puncheon, or piece, or any cask whatsoever	*0*	*1*
	Oil or spirits in bottles, per dozen	*0*	*2*
40	per pipe	*0*	*6*
	per hogshead	*0*	*3*
	per half hogshead	*0*	*2*
	All goods not enumerated in this Schedule to pay at the rate of *1d.* per cube foot, or *3d.* per hundredweight, or *2d.* per bushel or gallon.		

HOLYWOOD.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier and Quay at Holywood in the County of Down.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Holywood Pier Company, Limited, made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Preamble.

Holywood.

of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said Holywood Pier Company, Limited, to erect a Pier and Quay at Holywood aforesaid, and to execute all necessary works connected therewith, and to acquire such land as may be requisite for those purposes, and to levy and recover tolls, rates, and duties thereat, according to the schedule annexed to the Draft Provisional Order, and also to borrow a sum not exceeding seven thousand eight hundred pounds on the security of the said tolls, rates, and duties for the construction of such works as aforesaid:

And whereas the estimated expenditure on the said works and connected therewith is seven thousand eight hundred pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which they were by the last-mentioned Act required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation thereof (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order the following provisions shall take effect and be in force:

The undertakers.

1. The Holywood Pier Company, Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

6. The works authorized by this Order comprise the following:

(1.) A Pier at Holywood, on iron piles, commencing in the bed or shore of Belfast Lough at a point seventy-five yards or thereabouts distant (measured in the line the continuation of Shore Street) from the

the Bath-house at the corner of Shore Street and Marine Parade, and extending north-westward over the bed or shore of Belfast Lough for a distance of twelve hundred and fifty-three yards or thereabouts, terminating at the navigation channel: *Holywood.*

(2.) A Quay, commencing in the bed or shore of Belfast Lough at the point above described, and extending north-westward along the east side of the before-described pier for a distance of three hundred and fifty-six two-thirds yards or thereabouts, terminating at a point in the bed or shore of Belfast Lough:

together with all necessary and convenient landing places, wharves, jetties, cranes, weighing machines, works, and conveniences connected with such Pier and Quay respectively.

Power to take rates according to schedule.

7. The Company may demand and receive in respect of the vessels, boats, persons, animals, goods, and things in the schedule hereto described any sums not exceeding the rates in that schedule specified.

Commencement of rates.

8. As soon as either the Pier or the Quay is completed and fit for the accommodation or reception of the vessels, boats, persons, animals, goods, or things in respect of which rates are by this Order authorized to be levied, then (whether the remaining part of the works authorized by this Order is completed or not) the Company may begin and they may thenceforth continue to demand and receive such of the rates specified in the schedule to this Order as are applicable to the Pier or Quay so completed and fit (as the case may be).

Certificate of completion.

9. A certificate under the hand of the chairman of the Quarter Sessions shall be conclusive evidence that the Pier or the Quay (as the case may be) is so completed and fit as aforesaid; and the chairman shall sign such certificate on proof being adduced to him of such completion and fitness.

Power to borrow for works.

10. For the purposes of this Order the undertakers may from time to time borrow and re-borrow at interest, on mortgage of the undertaking and the rates payable under this Order, such moneys as they think fit, not exceeding in the whole seven thousand eight hundred pounds.

Commissioners Clauses Act.

11. The provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order.

Sinking fund.

12. The sum to be every year appropriated as a sinking fund is one thirtieth part of the principal money borrowed, such appropriation to commence from the expiration of one year after any such certificate of completion and fitness as aforesaid has been obtained by the Company.

Receiver for mortgagees.

13. The mortgagees of the Company may enforce the payment of the arrears of interest or the arrears of principal and interest due to them by the appointment of a receiver.

Amount for receiver.

14. The amount to authorize a requisition for a receiver is five hundred pounds.

Application of money borrowed.

15. All money borrowed under this Order shall be applied only for purposes of the undertaking.

Meters and weighers.

16. The Company shall have the appointment of meters and weighers in connexion with the Pier and Quay respectively.

Power to contract with persons for use of Pier.

17. The Company may grant to passengers and promenaders tickets for the use of the Pier on such terms, and for such period not exceeding one year, as

Holywood.

as may be agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for the purposes of which Act this Order shall be deemed the special Act.

Parts of Harbours, Docks, and Piers Clauses Act, 1847, excepted.

18. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to twenty-three both inclusive, and sections twenty-five and twenty-six.

Exemptions of Custom House Officers from rates.

19. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier and Quay with their vessels and otherwise without payment.

Part V. of 24 & 25 Vict. c. 47. to apply.

20. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Application of rates.

21. The rates to be received under this Order shall, after payment of expenses of management, maintenance, and regulation of the Pier and Quay, and of interest on money borrowed, and after provision for the sinking fund, be applicable by the Company to and for their own proper use and benefit.

Short title.

22. This Order may be cited as The Holywood Pier and Quay Order, 1864.

Board of Trade, Whitehall.
Dated this 22d day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE referred to in foregoing Order.

Rates on Vessels using the Pier.

	s.	d.
For every passenger steamer plying between Holywood and Belfast, or Holywood and other place in Belfast Lough, stopping at the pier for the purpose of landing or embarking any passengers or passenger, for each trip per registered ton not exceeding per ton	0	1
For every other vessel using the pier, not exceeding per registered ton	0	2
Pleasure boats, fishing boats, and open boats not carrying cargo	Exempt	

Rates on Goods or Animals shipped or unshipped, received or delivered, at the Pier or Quay.

Coals, per ton	not exceeding	0	4
Bricks or stone, other than lime-stone, per ton	„	0	2
Lime-stone, per ton	„	0	4
Lime, per barrel	„	0	1
Tiles, per 1,000	„	0	6
Deals, per 120	„	1	0
Other timber, per load of 50 feet	„	0	2
Iron, per ton	„	0	2
Lead, per ton	„	0	3

		s.	d.
	Slates, per ton - - - - - not exceeding	0	2
	Flour, per ton - - - - - „	0	3
	Meal, per ton - - - - - „	0	2
5	Potatoes, per ton - - - - - „	0	4
	Corn or grain, per ton - - - - „	0	4
	Clover-seed, per sack - - - - - „	0	3
	Manure, per ton - - - - - „	0	3
	Cattle, bulls, cows, oxen, and horses, each - - „	0	2
10	Ditto, calves, pigs, sheep, and lambs, per score - „	0	6
	Gunpowder, per barrel - - - - „	0	1

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	Light goods, per barrel bulk - - - - not exceeding	0	2
	Heavy goods, per ton - - - - „	0	4
15	In charging rates on goods, the gross weight or measurement of all kinds to be taken; and for any less weight, measure, or quantity than those above specified, a proportion of the above rate shall be charged. Five cubic feet not exceeding 2½ cwt. to be rated as a barrel bulk, but when the weight of five cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a		
20	barrel bulk.		

RATES OF CRANEAGE AND WEIGHING MACHINES TO BE PROVIDED.

Craneage.

	All goods under 1 ton - - - - not exceeding	0	2
	1 ton and under 2 tons - - - - „	0	3
25	2 tons „ 3 tons - - - - „	0	4
	3 tons „ 4 tons - - - - „	0	5
	4 tons „ 5 tons - - - - „	0	6
	5 tons „ 6 tons - - - - „	0	7
	6 tons - - - - - „	0	8
30	And for every additional ton above 6 tons not exceeding per ton	0	1

Weighing Machines.

	For each ten hundredweight or part thereof - - - -	0	1

SHED DUES.

	For each ton of eight barrels bulk, or for each ton of 20 cwt., or		
35	fractional part thereof respectively, which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours -	0	6
	And for each day during which such goods shall remain after the first 48 hours, for each ton or fractional part thereof - - -	0	1

PASSENGERS AND PROMENADERS USING THE PIER.

40	For every passenger or other person who shall land on the pier, or embark therefrom on board of any ship, vessel, packet, passage, or other boat, for each and every time not exceeding - - -	0	1
	Passengers luggage under 28 lbs. weight - - - - -	Exempt	
	For every further 28 lbs., or fractional part thereof, not exceeding -	0	1
45	For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except embarking or disembarking, for each and every time not exceeding - -	0	1
	For every bath or sedan chair taken on the pier, for each and every time not exceeding - - - - - - -	0	6
50	For every perambulator taken on the pier, for each and every time not exceeding - - - - - - -	0	6
	Crews from boats or ships lying in the Lough of Belfast landing for the purpose of procuring provisions for ships' use - -	Exempt	

EXE BIGHT.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier in the Exe Bight in the Harbour of the River Exe in the County of Devon.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Right Honourable William Reginald Earl of Devon made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, hereinafter called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said William Reginald Earl of Devon, as promoter, to construct a pier on the soil and bed of the River Exe and lands adjoining thereto and contiguous to that part of the River Exe called the Exe Bight in the county of Devon, to complete the execution of the works, to levy tolls and rates, and also to borrow a sum, not exceeding fifteen thousand pounds, on the security of the said rates, for the construction of such works as aforesaid:

And whereas the estimated expenditure on the said works is fifteen thousand pounds, and no more:

And whereas the promoter published the advertisements and deposited the documents which he was by the last-mentioned Act required to publish and deposit:

And whereas the said William Reginald Earl of Devon has undertaken the construction of an embankment on the foreshore of the river Exe, extending from Starcross to Warren Point, (which proposed embankment was approved, so far as regards navigation, by the Lords Commissioners of the Admiralty by Order dated the 5th day of December 1862,) and the proposed pier is intended to be constructed in connexion with that embankment:

And whereas it is expedient that the site and dimensions of the proposed pier be under the control of the Board of Trade, with a view to the prevention of injury to the navigation of the river Exe:

And whereas the proposed embankment is likely to be completed in the course of the year 1864, but until it is completed the proper site and dimensions for the proposed pier cannot be determined:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of

of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order— *Exe Bight.*

That, from and immediately after the passing of the Act of Parliament confirming this Provisional Order, the following provisions shall take effect, and be in force:

1. The said William Reginald Earl of Devon, his heirs and assigns, or other his successors in estate, shall be the undertakers of the works authorized by this Order. Undertakers.

2. For the purposes of the works authorized by this Order the undertakers may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works. Lands.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Lands Clauses Acts.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Works.

5. The works authorized by this Order comprise the following: Description of works.

1. A pier or jetty commencing at or near a place about 2,300 feet distant in a south-easterly direction from the point on the South Devon Railway where a stream called Cockwood Lake passes under the railway, and extending into the Exe Bight in a north-easterly direction, and in a straight line about 396 feet or thereabouts, and then turning both in a south-easterly and in a north-westerly direction, and extending in each of those directions about 330 feet or thereabouts;

2. To dredge, scour, cleanse, or remove any bank of sand or mud adjoining the proposed pier or jetty;

with all necessary or proper buoys, warping-posts, guides, helps, quays, wharfs, approaches, works, and conveniences connected with the proposed pier or jetty.

6. Notwithstanding anything herein-before contained, the proposed pier shall not be constructed, except on such site (within the limits of deviation shown on the deposited plans) and of such dimensions as the Board of Trade may from time to time, before the completion of the proposed pier, direct or approve, with a view to the prevention of injury to the navigation of the river Exe. Approval of Board of Trade for site, &c.

7. The undertakers may demand and receive in respect of the vessels, goods, persons, and things in the schedule hereto described any sums not exceeding the rates in the schedule specified. Rates.

8. The undertakers may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any Pass tickets.

Exe Bight.

person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act.

Customs officers.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the pier and works by land, and with their vessels and otherwise, without payment.

Borrowing.

10. For the purposes of this Order the undertakers may from time to time borrow and re-borrow at interest, on mortgage of all or any part of the rates authorized by this Order, and of the lands and property vested in the undertakers under or by virtue of this Order, such sum or sums of money as they may think fit, not exceeding in the whole the sum of fifteen thousand pounds.

Commissioners Clauses Act.

11. The provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order.

Sinking fund.

12. The sum to be every year appropriated as a sinking fund is one fiftieth part of the principal money borrowed, such appropriation to commence from the expiration of one year after the undertakers are authorized to begin to demand and receive rates under this Order.

Receiver.

13. The mortgagees of the undertakers may enforce the payment of the arrears of interest, or the arrears of principal and interest, due to them, by the appointment of a receiver. The amount to authorize a requisition for a receiver is 1,000*l*.

Application of money.

14. All money borrowed under this Order shall be applied only for the purposes of the undertaking.

Application of rates.

15. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

1. In paying the expenses of and connected with the applying for, obtaining, and making of this Order.
2. In paying year by year the expenses of the maintenance, management, and regulation of the pier and works authorized by this Order.
3. In paying year by year the interest on any money borrowed under this Order, and in creating year by year the sinking fund required by this Order.
4. And as to the surplus of each year's revenue of the said pier and works, that is to say, so much of the rates as may remain after answering the three several purposes aforesaid, the same shall be applicable by the undertakers to and for their own use and benefit.

Meters and weighers.

16. The undertakers shall have the appointment of meters and weighers employed about the pier.

Power to transfer.

17. The undertakers may at any time, by deed, transfer or lease to the South Devon Railway Company, their lessees or assigns, or to any other company or corporation, their lessees or assigns, if and when the said Railway Company, their lessees or assigns, or any other company or corporation, their lessees or assigns, are lawfully empowered to take a transfer or lease under the present

present provision, or to any person or persons, all or any part of the works herein specified, and the right to receive all or any part of the rates authorized by this Order, but so that any deed of transfer or lease under this provision shall not have any effect unless it is made with the approval of the Board of Trade, testified in writing signed by a Secretary of the Board.

Harbours and Passing Tolls Act.

18. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the pier and works authorized by this Order.

Harbours Clauses Act.

19. Sections 16, 17, 18, 19, 49, and 50 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; provided, with respect to the said sections 49 and 50, that this exception shall not apply if any such transfer or lease as aforesaid is made to any Company or Corporation, and so long as such transfer or lease remains in operation.

Saving for Corporation of Exeter.

20. Nothing in this Order shall prejudice, diminish, alter, or take away any rates, tolls, or dues belonging or payable to the Mayor, Aldermen, and Burgesses of the City of Exeter within the limits of the Port of Exeter.

Short title.

21. This Order may be cited as The Exe Bight Pier Order, 1864.

Board of Trade, Whitehall.
Dated this 23d day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of one hundred tons, per ton	*0*	*4*
For every vessel of the burden of one hundred tons, and under one hundred and fifty tons, per ton	*0*	*5*
For every vessel of the burden of one hundred and fifty tons and upwards, per ton	*0*	
All lighters, for each trip, per ton	*0*	*2*
All other boats entirely open landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*3*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*2*
Anchor stock, per foot run	*0*	*1*
Apples, per ton	*1*	*0*
Bark, per ton	*0*	*6*
Bedding, per bundle	*0*	*2*
Beef or pork, per cwt.	*0*	*2*
Ditto, per barrel	*0*	*4*
Biscuit or bread, per cwt.	*0*	*2*
Blubber, per tun of 252 gallons	*1*	*0*
Bones and bone dust, per ton	*1*	*0*

Exe Bight.

	s.	d.
Bottles, per gross	0	6
Bricks, per 1,000	1	0
Butter and lard, per barrel	0	3
Ditto, per firkin	0	2
Cables, iron or hempen, per ton	1	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	2
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	2	0
Calves, each	0	6
Horses, each	3	0
Pigs, each	0	3
Sheep, each	0	3
Chalk, per ton	0	6
Cheese, per cwt.	0	3
Chimney pots, each	0	1
Clay, per ton	0	4
Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	5	0
Gigs, carts, and other two-wheeled carriages, each	2	6
Hand-carts and perambulators, each	0	6
Coals, per ton	0	4
Copper, per ton	2	0
Cordage, per cwt.	0	2
Cork, per cwt.	0	3
Crystal, per box or package	0	4
Dogs, each	0	3
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	1
Ditto (in crates), per foot	0	1
Eggs, per box	0	2
Fish (dried and salted), per cwt.	0	1
Ditto, fresh (not enumerated), per cwt.	0	1
Flax, per ton	1	6
Flour and meal, per sack	0	2
Ditto, per barrel	0	1
Fruit, per cwt.	0	2
Furniture (household), per 5 cubic feet	0	3
Glass, per large crate	1	0
Ditto, per small ditto or case	0	9
Ditto, per box	0	4
Grain, corn, and seeds, per quarter	0	4
Groceries (not enumerated), per cwt.	0	4
Guano, per ton	1	0
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	3
Hardware, per ton	1	6
Hares and rabbits, per dozen	0	2
Hay, per ton	1	0
Ditto, per truss	0	1
Hemp, per ton	1	6
Herrings (fresh), per 1,000	0	2
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	1
Hops, per pocket	0	6

Exe Bight.

		s.	*d.*
	Iron:		
	Bar, bolt, rod, and shots, per ton	*1*	*0*
	Pig and old, per ton	*0*	*9*
	Manufactured, per ton	*1*	*6*
5	Kelp, per ton	*1*	*6*
	Lead, per ton	*1*	*6*
	Leather (tanned and dressed), per cwt.	*0*	*3*
	Lime, per ton	*0*	*6*
	Limestone, per ton	*0*	*2*
10	Machinery, per ton	*2*	*0*
	Manure, not enumerated, per ton	*0*	*6*
	Masts and spars, 10 inches in diameter and upwards, each	*2*	*0*
	Under 10 inches, each	*1*	*0*
	Meat (fresh), per cwt.	*0*	*3*
15	Musical instruments, per cube foot	*0*	*1*
	Nets, per 5 cube feet	*0*	*2*
	Oakum, per cwt.	*0*	*1*
	Oils, per tun	*1*	*6*
	Oilcake, per ton	*1*	*0*
20	Oranges and lemons, per box	*0*	*3*
	Ores, per ton	*0*	*4*
	Oysters, per bushel	*0*	*1*
	Paint, per cwt.	*0*	*2*
	Pitch and tar, per barrel	*0*	*3*
25	Potatoes, per cwt.	*0*	*1*
	Poultry and game, per dozen	*0*	*3*
	Rags and old rope, per ton	*1*	*0*
	Sails, per cwt.	*0*	*3*
	Salt, per ton	*1*	*0*
30	Sand, per ton	*0*	*2*
	Shrimp baskets, each	*0*	*1*
	Skins: Calf, goat, sheep, lamb, or dog, per dozen	*0*	*3*
	Slates, per ton of 24 cubic feet	*1*	*0*
	Spirits (Foreign and British), per hogshead	*1*	*0*
35	Ditto ditto per gallon	*0*	*1*
	Stones, per ton of 16 cubic feet	*1*	*0*
	Steel, per ton	*1*	*6*
	Sugar, per cwt.	*0*	*2*
	Tallow, soap, and candles, per cwt.	*0*	*2*
40	Tea, per chest	*0*	*6*
	Tiles, per 1,000	*1*	*0*
	Tin and zinc, per ton	*2*	*0*
	Tobacco, per cwt.	*0*	*4*
	Turnips, per ton	*0*	*4*
45	Turpentine and varnish, per barrel	*0*	*3*
	Turtle, each	*2*	*0*
	Vegetables (not enumerated), per cwt.	*0*	*2*
	Vinegar, per hogshead	*0*	*4*
	Vitriol, per carboy	*1*	*0*
50	Water, per cask	*0*	*1*
	Wine, per hogshead	*1*	*0*
	Ditto, bottled, per dozen bottles	*0*	*2*
	Wood:		
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	*1*	*0*
55	Oak or wainscot, per load of 50 feet	*1*	*6*
	Firewood, per 216 cubic feet fathom	*1*	*0*
	Laths and lathwood, per fathom of 216 cubic feet	*1*	*6*
	Handspikes, per 120	*2*	*0*
	Oars, per 120	*2*	*0*

Exe Bight.

	s.	d.
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	2	6
Ditto, 2½ inches in diameter and under, per 120	2	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	5	0
Ditto, above 4 and under 6 inches in diameter, per 120	7	0
Spokes of wheels not exceeding 2 feet in length, per 120	1	0
Spokes of wheels exceeding 2 feet in length, per 120	1	6
Trenails, per 1,000	1	0
Wedges, per 1,000	1	0
Pipe staves and others in proportion, per 120	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	1	6
Wool, per cwt.	0	3
Yarn, per cwt.	0	1

All other Goods not particularly enumerated in the above Table.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any greater or less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged, but when there shall be a fraction of a penny *1d.* to be chargeable.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other articles of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	6

V.—Rates on Passengers and Promenaders using the Pier. *Exe Bight.*

	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	3
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	1
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding	0	3
For every perambulator	0	1
For every master of any vessel, boat, or wherry using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	10	0

VI.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	1
Over 28 lbs. and not exceeding 84 lbs.	0	2
Over 84 lbs. and not exceeding 140 lbs.	0	3
Over 140 lbs. and not exceeding 2 cwt.	0	4
And for every cwt. beyond	0	2
And for every 20 lbs. weight in addition	0	1

LYTHAM.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Lytham in the County of Lancaster.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Lytham Pier Company, Limited, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order containing powers for the construction of a pier at Lytham in the county of Lancaster for the use and convenience of passengers and promenaders, for the complete execution of the works, and the levying of rates and tolls: Preamble.

And whereas the estimated expenditure on the proposed works is six thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Lytham.

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :

The undertakers.

1. The Lytham Pier Company, Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purpose of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, or already acquired by them, or over and on which they have obtained or may obtain the rights and privileges requisite for that purpose, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

6. The works authorized by this Order comprise the following :

A pier on iron piles commencing at a point in the Esplanade opposite Dicconson Terrace, in front of the town of Lytham, and carried out seaward a distance not exceeding nine hundred feet ;

with all proper works, approaches, and other conveniences connected therewith.

Power to take rates according to schedule to this Order.

7. The Company may demand and receive in respect of the persons, vessels, and things in the schedule hereto described any sums not exceeding the rates in that schedule specified.

Restriction on use of pier.

8. Nothing in this Order shall entitle vessels or boats to ship or unship at the pier any sheep, cattle, or merchandise, or any things other than those in the schedule hereto described.

Company may contract with persons for the use of pier.

9. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not

not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act. *Lytham.*

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment. Custom House officers exempt from rates.

11. This Order may be cited as The Lytham Pier Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 23d day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier, or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - - - - -	0	0	6
For every person who shall use the pier for the purpose of walking, for exercise, pleasure, or any other purpose except for embarking or disembarking, for each and every time, any sum not exceeding -	0	0	2
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - - - -	0	0	6
For every perambulator, not exceeding - - - - - - - -	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Lytham, and using the same pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - - - - - -	1	0	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs. - - - - - - - - -	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons - - - per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons „	0	0	6
For every vessel of the burden of 50 tons and under 100 tons „	0	0	8
For every vessel of the burden of 100 tons and under 150 tons „	0	0	10
For every vessel of the burden of 150 tons and upwards - „	0	1	0

ARDGLASS.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour at Ardglass in the County of Down.

Preamble.
7 & 8 Geo. 4. c. lxxx.

Whereas by the Act of the session of the 7th and 8th years of King George the Fourth (chapter 80, local and personal), "for maintaining and improving "the harbour of Ardglass in the county of Down," herein-after referred to as the Act of 1827, it was provided to the effect that the rates specified in that Act and the schedule thereto should be levied, and that there should be such Commissioners for the execution of that Act as therein mentioned, and that all money received from the rates (after defraying the expense of collection) should be applied in the improvement, maintenance, and repair of the harbour:

And whereas for a long time past the pier and works constructed or improved under the authority of the Act of 1827 have been in a ruinous condition, and there has not been any body of Commissioners constituted under the said Act, and no rates have been levied thereunder, and the Act of 1827 has consequently become and is wholly inoperative:

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Ardglass Harbour made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to make a Provisional Order under those Acts, and thereby to empower the promoters to execute the works herein-after mentioned at the Port and Harbour of Ardglass aforesaid, and also to levy and recover harbour rates and duties not exceeding those mentioned in the Schedule hereunto annexed, and for the incorporation of a Company:

And whereas the estimated expenditure on the proposed works is twenty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of

of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order— *Ardglass.*

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Ardglass Harbour Company.

Incorporation of Company.

1. The following persons, namely, Godfrey Lyle, George Beauclerc, and John William Lambert Smith, and all other persons and corporations who have subscribed or may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of the Ardglass Harbour Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Ardglass Harbour Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Companies Clauses Act.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be the sum of twenty thousand pounds, in two thousand shares of ten pounds each.

Calls.

5. No call shall exceed two pounds ten shillings per share, or be made payable within three months of any previous call.

Power to create preference shares.

6. The Company may, by the resolution of a General Meeting specially convened, such resolution being adopted by not less than three-fifths in value of the Shareholders present in person or by proxy at the meeting, direct that the holders of any portion not exceeding one-third part of the shares then subscribed for or taken, shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company.

Borrowing.

7. The Company may borrow on mortgage or bond, at interest, from time to time such sums of money as may from time to time be required for the purposes of the works authorized by this order; but no money shall be so borrowed until the whole of the capital of twenty thousand pounds is subscribed for or taken, and until one-half thereof is paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for, and is held by subscribers or their assigns legally liable for the same (which certificate shall be sufficient evidence of the matters therein certified).

Receiver.

8. The mortgagees of the Company may enforce the payment of the arrears of interest, or the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be five hundred pounds.

Ardglass.

No interest or dividend on calls.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any such shareholder such interest on any money advanced by him beyond the amount of the calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purposes of Order.

11. Every part of the money so raised shall be applied only for purposes authorized by this Order.

First general meeting.

12. The first General Meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order, at such time and place as the Directors determine.

Number of Directors.

13. The number of Directors shall not be more than seven or less than five.

Quorum of Directors.

14. The quorum of a meeting of Directors shall be three.

First Directors.

15. The three persons herein-before named may nominate the persons who shall, either conjointly with themselves or any of them, or otherwise, be the first Directors of the Company; and the Directors so nominated shall continue in office till the first General Meeting of the Company.

Qualification.

16. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of not less than twenty-five shares in the capital of the Company.

Remuneration.

17. The remuneration of the Directors shall from time to time be fixed by a General Meeting, and shall be divided among the Directors in such manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration divisible among the Directors shall be after the rate of two hundred and fifty pounds per annum.

Lands.

Power to take specified lands by agreement.

18. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Land for extraordinary purposes.

20. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole four acres.

Works.

Power to make works.

21. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make, execute, and maintain the works shown on the deposited plans.

22. The

Ardglass.

22. The works authorized by this Order comprise the following:

Description of works.

1. A pier of iron or stone to be constructed at or near the situation of the pier as formerly existing at Ardglass, being in the direction of due east, at a right angle to the in-and-out trend of the main inlet, and parallel to the seaward aspect, on the western shore of the inlet, called Ardglass Bay:

2. To dredge, deepen, and enlarge, and remove rocks out of the area within the line of the said formerly existing pier:

3. To erect and maintain a new lighthouse or beacon upon the pier-head of the proposed iron or stone pier:

together with all necessary quays, wharves, jetties, landing places, approaches, warehouses, offices, sheds, weighing machines, and other works and conveniences connected therewith respectively.

Rates.

Power to take rates according to Schedule to this Order.

23. The Company may demand and receive, in respect of the vessels, goods, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified; but nothing in this Order shall empower the Company to demand or receive any rates with respect to the existing Harbour until they are entitled to demand and receive rates with respect to the pier and works authorized by this Order.

Custom House officers exempt from rates.

24. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour, by land, and with their vessels, and otherwise, without payment.

Further exemption from rates.

25. Persons engaged in launching any vessel for the purpose of going to the assistance of a vessel in distress, or persons landing from a vessel in distress, or a single parcel carried by any passenger landing at or embarking from the Pier or Harbour, shall be exempt from the payment of rates under this Order.

General Provisions.

Meters and weighers.

26. The Company shall have the appointment of meters and weighers on and within the Pier and Harbour and property of the Company.

Confirmation of byelaws and provision for management of harbour.

27. Any byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, (for the purposes of which Act this Order shall be deemed the Special Act,) shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the Harbour Master, by virtue of section 52 of the last-mentioned Act, or of any other authority, or for the Company, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Exception of parts of Harbours Clauses Act.

28. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, and 19.

Ardglass.

Power to establish steam tugs, &c.

29. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Application of Part V. of 24 & 25 Vict. c. 47.

30. Part V. of The Harbour and Passing Tolls, &c. Act, 1861, shall apply to the Harbour of Ardglass, as altered under this Order.

Discontinuance of powers of Act of 1827.

31. This Order shall be of full force and effect, the Act of 1827 notwithstanding, and from the commencement of the operation of this Order no works shall be executed, or Commissioners constituted, or rates levied, under the Act of 1827.

Short title.

32. This Order may be cited as The Ardglass Harbour Order, 1864.

Board of Trade, Whitehall.
Dated this 24th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE referred to in the foregoing Order.

I.—Rates on Goods shipped or unshipped, received or delivered, within or at the existing Harbour, or at the new Works.

			s.	*d.*
Acid water, acid vegetable, or mineral,		per pipe	1	0
Ditto	ditto	per hogshead	0	6
Ditto	ditto	per firkin	0	3
Ditto	ditto	per jar	0	2
Ditto	ditto	per cwt.	0	3
Acorns,	per ton of forty bushels		1	0
Alabaster, rough,	per ton		1	0
Ditto, worked,	per cwt.		1	0
Ale, beer, or porter,	per butt or pipe		1	0
Ditto	per hogshead		0	6
Ditto	per barrel		0	3
Ditto	per kilderkin		0	1½
Ditto	in bottles,	per dozen	0	1
Ale, bottled,	per barrel bulk		0	3
Alkanet root,	per cwt.		0	4
Almonds,	per cwt.		0	3
Aloes,	per cwt.		0	4
Alum,	per cwt.		0	2
Amber,	per cwt.		0	4
Ambergris,	per cwt.		1	0
Anchors,	per cwt.		0	2

		s.	d.	*Ardglass.*
	Anchovies, per barrel	0	2	
	Angelica, per cwt.	0	3	
	Animals, stuffed, each	0	6	
5	Annatto, per cwt.	0	4	
	Anniseeds, per cwt.	0	3	
	Antimony, per cwt.	0	3	
	Anvils, per cwt.	0	1	
	Apples, in bulk, per ton	0	6	
10	Arrowroot, in powder, per cwt.	0	3	
	Arsenic, per cwt.	1	0	
	Ashes, barilla, per cwt.	0	1	
	Pearl and pot, per cwt.	0	2	
	Black, per cwt.	0	1	
15	Bleaching, per cwt.	0	2	
	Common Irish, per cwt.	0	1	
	Soda, per cwt.	0	1	
	Asphaltum, per cwt.	0	1	
	Bacon or pork, per cwt.	0	2	
20	Bagging, per cwt.	0	4	
	Ballast, per ton registered measurement of vessel	0	1	
	Bark, tanner's, chopped, per ton	0	6	
	Ditto, rinds, not ground, per ton	0	6	
	Augustina, per cwt.	0	4	
25	Birch and larch, per ton	0	6	
	Quercitron, per ton	2	0	
	Sassafras, per cwt.	0	4	
	Winteranus, per cwt.	0	4	
	Baskets, per dozen	0	1	
30	Basket rods, per 1,000	0	3	
	Bass rope, per cwt.	0	2	
	Bedposts, mahogany, per set	0	6	
	Others, per set	0	4	
	Beef or pork, per tierce	0	6	
35	Ditto, per barrel	0	4	
	Ditto, per half barrel and smaller package	0	2	
	Ditto, per ton	1	4	
	Beer, spruce, per barrel of 32 gallons	0	8	
	Bell metal, per cwt.	0	2	
40	Bellows, smiths, each	0	6	
	Bellows, common, per dozen	0	6	
	Berries, bay, per cwt.	0	1	
	Juniper, per cwt.	0	1	
	Yellow, per cwt.	0	1	
45	Biscuit or bread, per cwt.	0	2	
	Blacking, per cwt.	0	2	
	Blackjack, per ton	0	4	
	Blocks, heel, per gross	0	2	
	Last, per dozen	0	1	
50	Ship, per dozen	0	1	
	Blubber, per cwt.	0	1	
	Blue, per cwt.	0	2	
	Bobbins, per cask	1	0	
	Bones, per ton	0	6	
55	Bone dust, per quarter	0	2	
	Books, per cwt.	0	4	
	Borax, per cwt.	0	2	
	Bottles, loose, empty, per gross	0	2	
	In baskets or carboys, full	0	6	

Ardglass.

	s.	d.
Bowls of wood, per dozen	0	2
Boxes, iron, for wheels, per cwt.	0	1
Bran, per ton	1	0
Brandy, per hogshead	1	6
Brass, new, per cwt.	0	2
Old, per cwt.	0	1
Bricks, common, per 1,000	1	0
Fire, per 1,000	2	0
Scouring, per 1,000	1	6
Slabjacks, per dozen	0	1½
Brimstone, per cwt.	0	1
Bristles, per 12 lbs.	0	1
Brooms, birch, per gross	0	2
Brooms and brush handles, per gross	0	6
Brush heads and stocks, per 100	0	1
Brushes, hair, rushes, and whalebone, per dozen	0	2
Bugles and beads, per cwt.	0	3
Bullion, per package	1	0
Bullrushes, per bundle	0	1
Butter, per cask	0	3
Ditto, per firkin	0	1½
Ditto, per pot	0	1
Ditto, per barrel	0	4
Cables, per cwt.	0	2
Cakes, linseed or rape, per cwt.	0	1
Calamine, per cwt.	0	1
Calaminaris, lapis, per cwt.	0	1
Calves velves, per cwt.	0	3
Camphor, per cwt.	0	6
Candles, tallow, chest of 14 dozen	0	6
Ditto, half chest	0	3
Ditto, wax, per 12 lbs.	0	1
Canella alba, per cwt.	0	4
Canes, per bundle	0	6
Cantharides, per cwt.	1	0
Canvas, per bolt	0	1
Caoutchouc, per cwt.	0	4
Capers, per cwt.	0	6
Capillaire, per 100 gallons	1	0
Carboys, empty, each	0	2
Cards, wool, per dozen	0	1
Carriages or coaches, each	10	6
For guns, each	1	6
Gigs, each	5	0
Carts, each	2	6
Hand, each	1	0
Casks, empty, not returned, each	0	2
Cattle:		
Asses and mules, each	1	0
Bulls, each	2	6
Cows and oxen, each	1	6
Calves and lambs, each	0	6
Horses, each	2	0
Pigs or sheep, each	0	4
Sucking pigs, each	0	3
Cassia buds, per cwt.	0	6
Fistula, per cwt.	0	4
Caviare, per cwt.	1	0

		s.	d.	Ardglass.
	Cement, per cwt.	0	1	
	Chairs, not mahogany, per dozen	1	6	
	Mahogany, per dozen	2	6	
5	Chains, per cwt.	0	2	
	Chalk, per ton	0	2	
	Charcoal, per pack	0	1	
	Cheese, per cwt.	0	6	
	Chemicals, per barrel bulk	2	0	
10	Chesnuts, per bushel	0	1	
	Chimney pots, earthenware, each	0	1	
	China, per hogshead	1	6	
	Ditto, per tierce	1	0	
	Chirt stones, per ton	0	6	
15	Chocolate, per cwt.	0	3	
	Cider or perry, in bottles, per dozen	0	1	
	Ditto, per hogshead	0	6	
	Cinnabar, per cwt.	0	9	
	Cinnamon, per cwt.	1	0	
20	Clay, pipe and potter's, per ton	0	2	
	China, per ton	0	3	
	Clocks, per dozen	2	0	
	Wood, per dozen	1	0	
	Clog soles, per gross	0	6	
25	Cloth, packs not exceeding 1 cwt.	0	4	
	Cloths, linen, woollen, bale, pack, or truss, per cwt.	0	4	
	Cloths, linen, woollen, or cotton, in boxes, per foot	0	1	
	Cloves, per cwt.	1	0	
	Coals (besides bushelage), per ton	0	2	
30	Coke, per ton	0	4	
	Cobalt, per ton	1	0	
	Ore, per ton	0	4	
	Cocoa, per cwt.	0	3	
	Cocoa nuts, per 100	0	2	
35	Coculus indicus, per cwt.	0	4	
	Coffee, per cwt.	0	3	
	Colouring for porter, per barrel of 36 gallons	0	6	
	Columbo root, per 100	0	4	
	Copper, per cwt.	0	1	
40	Ore, per ton	0	4	
	Furnaces, per twenty gallons	0	2	
	Copperas, barrel or bag, per cwt.	2	0	
	Coral, per cwt.	2	0	
	Cordage, per cwt.	0	2	
45	Cordials, per case of 1 dozen	0	1	
	Ditto, per hogshead	1	0	
	Cork, per cwt.	0	3	
	Corks, per ten gross	0	2	
	Corn, viz.:			
50	Wheat, per quarter	0	2	
	Barley, per quarter	0	1	
	Oats, per quarter	0	1	
	Bere and bigg, per quarter	0	2	
	Barley meal, per bag	0	2	
55	Indian corn, per quarter	0	1	
	Ditto meal, per bag	0	1	
	Oatmeal, per bag	0	1	
	Beans and peas, per quarter	0	2	
	Rye, per quarter	0	1	

Ardglass.

	s.	d.
Cotton, raw, per cwt.	0	3
Ditto, manufactured, per cwt.	0	6
Cradles, each	0	2
Cranberries, per 5 gallons	0	1
Cream of tartar, per cwt.	0	4
Crease, earthenware, per dozen	0	$0\frac{1}{2}$
Crystal, per box or package	0	6
Ditto, per barrel bulk	0	2
Cubebs, per cwt.	0	6
Culm, per ton	0	3
Currants, per butt	1	6
Dates, per cwt.	0	3
Dissolved bones and other artificial manures, per ton	0	8
Dogs, and other animals not enumerated, each	0	6
Down, eider, per cwt.	1	6
Drugs, in casks, hampers, or boxes, at per foot	0	1
Ditto, per barrel bulk	0	3
Dyer's stuff, per cwt.	0	4
Dyes, per cwt.	1	0
Dye wood, per ton	1	4
Earth, black, per ton	1	0
Brown, per ton	1	0
Earth, Fullers, per ton	1	0
Red, per ton	1	0
Yellow, per ton	1	0
Earthenware, coarse, in bulk, per potter's dozen	0	3
In crates, at per foot	0	$0\frac{1}{4}$
Eggs, per gross of 12 dozen	0	1
Emery, per cwt.	0	2
Stones, per cwt.	0	1
Empty bags and sacks (not returned), per cwt.	0	2
Epsom salts, per cwt.	0	2
Essence of lemons and limes, per 100 pounds	2	0
Essential oils, per cwt.	0	9
Euphorbium, per cwt.	0	4
Feathers, per cwt.	0	6
Felt, per cwt.	0	1
Figs, per cwt.	0	2
Filtering stones, each	0	1
Fish, fresh, per cwt.	0	1
Pilchards, cured, per hogshead	0	3
Herrings, cured, per barrel	0	4
Other cured fish (not before specified), per cwt.	0	1
Flag stones, rough, per 100 feet	1	2
Ditto, worked, per 100 feet	2	0
Flax (rough), per ton	1	8
Ditto, per dozen hanks	0	1
Flock, per bag	0	3
Floor cloth, per bag	0	4
Flour, per sack	0	2
Ditto, per barrel	0	$1\frac{1}{2}$
Flower roots, plants, or trees, in packages, at per foot	0	1
Free stones, per ton	1	2
Fruit, green, per cwt.	0	1
Ditto, dry, per cwt.	0	2
Fuel, patent, per ton	0	4
Furniture, household, cases, at per cubic foot	0	1
Galbanum, per cwt.	0	4

		s.	*d.*	*Ardglass.*
	Gallangal, per cwt.	0	4	
	Galls, per cwt.	0	4	
	Gates, iron or wood, each	0	2	
5	Gentian root, per cwt.	0	4	
	Ginger, per cwt.	0	3	
	Gingerbread, per box	0	4	
	Ginseng, per cwt.	0	4	
	Glass, per crib, slide, or case	0	6	
10	Glauber salts, per cwt.	0	2	
	Gloves, per dozen pair	0	1	
	Glue, per cwt.	0	1	
	Granite, per ton	0	2	
	Grapes, per barrel or per jar	0	2	
15	Ditto, per half barrel or box	0	1	
	Grates or stoves, per foot	0	2	
	Gravel or sand, per ton	0	2	
	Grease or greaves, per cwt.	0	1	
	Groats, per cwt.	0	2	
20	Guano, per ton	1	0	
	Gums, per cwt.	0	4	
	Gunpowder, per 100 pounds	0	3	
	Gypsum, per ton	0	2	
	Haberdashery and hosiery, in bales, per cwt.	0	4	
25	Ditto, in boxes, per foot	0	1	
	Hair, per cwt.	0	3	
	Hams, per cwt.	0	2	
	Hanks, for sails, per dozen	0	$0\frac{1}{2}$	
	Hardware, per cwt.	0	2	
30	Hares and rabbits, per dozen	0	2	
	Any less quantity	0	1	
	Harrows, each	0	4	
	Hats, per box, per foot	0	1	
	Hay rakes, per dozen	0	2	
35	Hay, per ton	1	6	
	Hemp, per ton	1	8	
	Herrings, fresh, per cran	0	1	
	Ditto, cured, per barrel	0	3	
	Hide roundings, or glue pieces, per cwt.	0	$2\frac{1}{2}$	
40	Hides, wet or dry, for every 100 in number	3	6	
	Ditto, fleshings, per cwt.	0	$2\frac{1}{2}$	
	Honey, per gallon	0	1	
	Hoofs, per cwt.	0	1	
	Hoops, for mast, or white hoops, per dozen	0	1	
45	Ditto, per load	1	0	
	Hops, per bag	1	0	
	Ditto, per pocket	0	6	
	Ditto, per end	0	3	
	Horns, per 100	0	4	
50	Household furniture, new, per barrel bulk	0	1	
	Ditto, belonging to parties changing their residence only, per 10 barrels bulk	0	6	
	Hurdles, per dozen	0	2	
	Husbandry utensils, per ton	1	4	
55	Ditto, per barrel bulk	0	2	
	Ice, per ton	0	6	
	Indigo, per cwt.	1	6	
	Iron, pig, per ton	0	6	
	Cast, per ton	0	8	

Ardglass.

	s.	d.
Iron—*continued.*		
Bar, bolt, and wrought, per ton	1	0
Hoops, per cwt.	0	1
Horse shoes, per cwt.	0	1
Ploughshares, per cwt.	0	1
Stamp heads, per ton	1	0
Furnaces, at per 20 gallons	0	1
(Cast) hollow ware, per cwt.	0	3
Ore, per ton	0	4
Wire and nail rods, per cwt.	0	1
Irons, baker's and pudding pans, per cwt.	0	1
Patten, per gross	0	6
Isinglass, per cwt.	0	6
Ivory, per cwt.	1	0
Black, per cwt.	0	1
Jack screws, per pair	0	6
or fishing lines, per dozen	0	1
Junk or old rope, per cwt.	0	1
Lac, gum, stick, seed, and shell, per cwt.	0	4
Ladles, per gross	0	6
Lamp black, per cwt.	0	4
Lanthorns, horn or glass, per dozen	0	1
Lard, per cwt.	0	2
Lead ore, per ton	0	4
Pigs of, per ton	1	0
Sheet, per cwt.	0	1
Leather, tanned, per cwt.	0	2
Wrought, per cwt.	0	3
Lemons, per chest	0	4
Ditto, per box	0	2
Lemon, lime, and orange juice, per hogshead	1	0
Lime, burnt, per ton	0	6
Limestone, per ton	0	2
Linen or woollen rags, per cwt.	0	1
Cloth, per cwt.	0	4
Lint cloth, not in bales, per piece	0	3
Liquor, in bottles, per case or box	0	6
Loam or moulding sand, per ton	0	3
Logwood, logwood chips, per cwt.	0	3
Maccaroni, per cwt.	0	4
Mace, per cwt.	1	0
Machinery, steam and other iron engines, and part of the same, per cwt.	0	1
Foundation plates, bobs, and pumps for engines, per cwt.	0	1
Wood and iron mixed, per foot	0	1
Madder and madder roots, per cwt.	0	4
Malt, per quarter	0	2
Manganese, per ton	0	4
Manure, not enumerated, per ton	0	2
Marble, rough, per ton	1	0
Ditto, worked, per cwt.	1	0
Masts or spars, each	0	6
Mats and matting, per dozen	0	1
Maunds or hampers, empty imported, per dozen	0	1
Meal, per bag of 280 lbs.	0	2
Meat, per cwt.	0	2
Melting pots, per dozen	0	1
Milk, per gallon	0	0½
Millboards, per 120 boards	0	6
Millinery, per foot	0	1

		s.	d.	*Ardglass.*
	Mineral and aerated waters, in bottles, per dozen	0	1	
	Mops and brushes, per dozen	0	3	
	Mother-of-pearl shell, per cwt.	0	4	
5	Mundic, per ton	0	2	
	Munjeet, per cwt.	0	4	
	Muriate of lime, potash, and soda, each, per cwt.	0	1	
	Musical instruments, per foot	0	1	
	Muskets, per dozen	0	6	
10	Mustard, per firkin of 72 lbs.	0	3	
	Ditto, per firkin of 36 lbs.	0	2	
	Nails, per cwt.	0	1	
	Natron, per ton	1	8	
	Nests of trunks, per foot	0	1	
15	Nutmegs, per cwt.	1	0	
	Nuts, per Winchester bushel	0	1	
	Nux vomica, per cwt.	0	4	
	Oakum, per cwt.	0	1	
	Oars, per dozen	0	3	
20	Ochree, per cwt.	0	1	
	Oil, large cans for lighthouses, containing 30 gallons, and so in proportion	1	0	
	Castor, per cwt.	0	4	
	Sperm, per hogshead	1	0	
25	Pilchard, per ton	1	0	
	Sweet and lamp, and all oils not enumerated, per hogshead	0	10	
	In flasks, per chest	0	4	
	Ditto, per half chest	0	2	
	Oil cake, per ton	1	0	
30	Olives, per barrel	0	2	
	Ditto, per jar	0	1	
	Onions, per cwt.	0	1	
	Oranges, per box	0	2	
	Ditto, per chest	0	4	
35	Orange and lemon peel, and buds, per cwt.	0	3	
	Orchilla weed, per cwt.	0	4	
	Ores :			
	Copper, lead, and other ores, per ton	0	8	
	Ox bows, per dozen	0	2	
40	Oysters, per ton	1	8	
	Paintings, pictures, and pier glasses, per foot	0	3	
	Paints and painter's colours, per cwt.	0	2	
	Pans, warming, per dozen	0	3	
	Brass, per cwt.	0	6	
45	Paper, stationer's, per cwt.	0	4	
	Common, per cwt.	0	1½	
	Pattens, wood, per gross	0	6	
	Peats, per ton	0	3	
	Pepper, per cwt.	0	3	
50	Petroleum, per ton	5	0	
	Pewter, per cwt.	0	2	
	Phials, in packages, per foot	0	1	
	Pick hilts, per gross	1	0	
	Pickles, per 12 bottles	0	1	
55	Pimento, per bag of 100 lb.	0	3	
	Pins, per cwt.	0	4	
	Pipes, for smoking, per hogshead	1	0	
	Ditto, per barrel	0	6	
	Earthenware, for draining, per ton	1	0	

Ardglass.

	s.	d.
Plaister of Paris, per cwt.	0	1
Ploughs, each	0	6
Plums, per cwt.	0	3
Potash, per cwt.	0	1
Potatoes, per ton	1	0
Poultry, including pigeons, game, &c. per dozen	0	1
Any less quantity	0	0½
Powder hair, or cosmetic, per cwt.	1	0
Preserves, per cwt.	0	4
Prunes, per cwt.	0	2
Pumice stone, per ton	0	1
Puncheons, empty, and pipes not returned, each	0	2
Quern stones, each	0	6
Quicksilver, per case or package	0	6
Quills, stationer's, per 1,000	0	2
Miners, per cwt.	0	9
Rags, linen, per ton	1	4
Other rags, old ropes, and the like, per ton	0	10
Raisins and figs, per cwt.	0	2
Rape seed, per quarter	0	4
Rice, per tierce of 4 cwt.	0	8
Rope coil, per cwt.	0	2
Rope yarn, per cwt.	0	1
Rum, per puncheon	2	0
Sago, per cwt.	0	2
Sails, per cwt.	0	4
Sal gem rock salt, per ton	0	6
Salt, per ton	0	10
Fine, per ton	0	4
Coarse, for manure or curing fish, per ton	0	3
Saltpetre, per cwt.	0	2
Sand or gravel, per ton	0	2
Scoops, boat, per dozen	0	1
Fish, per dozen	0	2
Malt, per dozen	0	3
Scuttles, coal, copper, or tin plate, per dozen	0	3
Scythe stones, per 100	0	3
Scythes, per dozen	0	2
Seed, garden or agricultural grass seeds, per cwt.	0	3
Segars, per cwt.	0	6
Shakes, not returned, per hogshead, and so in proportion	0	2
Shot, bird, per cwt.	0	3
Shovel handles, per dozen	0	1
Shumac, per cwt.	0	2
Sieves, per dozen	0	3
Silk, raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
Manufactured, the package, per foot	0	2
Skins: Badger, bear, beaver, deer, elk, ermine, fisher, fox, leopard, lion, martin, otter, panther, seal, tiger, per score	1	0
Horse, per score	0	3
Calf, per score	0	3
Sheep and kid, per dozen	0	3
Cat, chincilli, mink, racoon, seal (hair), per score	0	6
Goat, fitch, musk-quash, neutria, swan, per score	0	3
Coney, hare, mole, per score	0	1
Slabs, marble, per ton	1	0

		s.	d.	*Ardglass.*
	Slates, writing, per gross	0	3	
	Rags, per dozen	0	0½	
	Scantle, per 1,000	0	3	
5	Common helling, per 1,000	0	2	
	Slate, earth, or tombstones, per foot	0	0¼	
	Snuff, per cwt.	0	4	
	Soap, per cwt.	0	2	
	Soda, sal, per ton	1	0	
10	Soda water, per dozen	0	2	
	Solder and spelter, per cwt.	0	1½	
	Spades, garden, per dozen	0	4	
	Spermaceti, per cwt.	0	8	
	Spirits, Foreign and British, per hogshead of 56 gallons	0	2	
15	Spokes, for wheels, per dozen	0	2	
	Naves for wheels, per dozen	0	6	
	Sponge, per cwt.	1	6	
	Ditto, per package under quarter of a cwt.	0	6	
	Stamp lifters, per dozen	0	2	
20	Starch, per cwt.	0	2	
	Steel, per cwt.	0	6	
	Stone, Caen, for millstones, per 100	3	0	
	Stones, grinding, per cwt.	0	1	
	Ditto, not enumerated, per ton	1	0	
25	Straw, per ton	0	6	
	Staw bonnets in bales, cases or casks, or otherwise, per foot	0	1	
	Plait, in bales, cases or casks, or otherwise, per foot	0	2	
	Succades and sweetmeats, per cwt.	0	4	
	Sugar, soft, per cwt.	0	1	
30	Refined, in barrels or bags, per cwt.	0	2	
	Candy, per box	0	2	
	Refined, per hogshead	1	4	
	Sulphur, per cwt.	0	3	
	Talc, per cwt.	0	4	
35	Tallow, per cwt.	0	2	
	Tanners poles, per cwt.	0	6	
	Tapioca, per cwt.	0	3	
	Tar, pitch, or rosin, per barrel	0	2	
	Tarras, per cwt.	0	1	
40	Tea, per chest	1	6	
	Terra japonica, per ton	2	0	
	Tessera, per barrel	0	2	
	Threshing machines, each	5	0	
	Thrumbs, per cwt.	0	4	
45	Tiles, pan, per score	0	1	
	Paving, per score	0	1	
	Malt kilns, per score	0	1	
	Timber not enumerated, per load of 55 feet	0	6	
	Timber:			
50	Staves, pipe, per 120	0	6	
	Hogshead per 120	0	2	
	Split or sawn staves, per 1,000	1	0	
	Mast pieces, under 12 inches each	0	3	
	Ufers, under 24 feet, per 100	1	0	
55	above 24 feet, per 100	1	6	
	Wainscot boards, per 100	1	0	
	Tin, in blocks, ingots, or barrels, per ton	1	0	
	Ore, per ton	0	8	
	Plate, per box	0	2	

Ardglass.

	s.	d.	
Tobacco, per cwt.	0	3	
Tongues, per dozen	0	1	
Tortoiseshell, per cwt.	1	0	
Tow, per ton	1	8	5
Toys, in boxes, per foot	0	1	
Trawl beams, each	0	4	
Treacle or molasses, per puncheon	0	10	
Ditto, per half puncheon	0	5	
Ditto, per small cask	0	3	10
Trees for saddles, per dozen	0	3	
Treenails or trunnels under 2 feet in length, per 1,000	0	6	
Ditto, exceeding 2 feet in length, per 1,000	1	0	
Trenchers, per gross	0	2	
Trucks, each	0	3	15
Trundle sticks, per 1,000	0	3	
Turnips or mangold, per ton	1	0	
Turpentine, per cwt.	0	6	
Twine or netting, per cwt.	0	3	
Types, per cwt.	0	6	20
Valonia, per ton	1	0	
Varnish, per barrel	0	6	
Venice turpentine, per cwt.	0	4	
Vegetables, shipped, per cwt.	0	1	
Verdigris, per cwt.	0	1	25
Vermicelli, per cwt.	0	6	
Vinegar, per pipe	2	0	
Ditto, per hogshead	1	0	
Ditto, per firkin	0	6	
Vitriol, per carboy	0	6	30
Waste:			
Brazier's, button maker's, furrier's, soaper's, tanner's, vitriol, sugar baker's, per cwt.	0	1	
Wax, per cwt.	0	2	
Whalebone, fins, per cwt.	0	4	35
Ditto, per 12 lbs.	0	2	
Wheelbarrows, each	0	4	
Whetstones, per gross	0	2	
Whipsticks, per bundle	0	1	
Whiskey, per puncheon	2	0	40
Whiting, per cwt.	0	1	
Wick yarn, pack, per cwt.	0	3	
Wine, foreign, per pipe, all sorts	2	6	
Wine, British, per pipe, all sorts	1	6	
Or strong waters, per hogshead	1	0	45
Ditto, per barrel	0	6	
British, per hogshead	0	9	
Ditto, per firkin	0	3	
And liquors, in bottles, per dozen	0	2	
Winnowing machines, each	2	6	50
Wood:			
Fir, pine, and other descriptions not enumerated, per load of 50 feet	0	10	
Oak or wainscoat, per load of 50 feet	1	0	
Firewood, per fathom	0	6	55
Laths and lathwood, per fathom of 216 cubic feet	2	6	
Handspokes, per 120	0	10	
Spars under 22 feet in length, above 2¼ and under 4 inches diameter, per 120	2	6	

		s.	*d.*
	Wood—*continued.*		
	Spars, 2½ inches in diameter and under, per 120	*1*	*4*
	Spars, 22 feet in length and upwards and not exceeding 4 inches in diameter per 120	*6*	*6*
	Spars of all lengths above 4 and under 6 inches in diameter, per 120	*12*	*0*
	Wedges, per 1,000	*1*	*0*
	Lignum vitæ, fustic, logwood, mahogany, rosewood, and furniture wood, per ton	*1*	*4*
	Woollen manufactures, at per cwt.	*0*	*8*
	Wool, packs of British, per cwt.	*0*	*3*
	Spanish, and all other, per cwt.	*0*	*6*
	Yarn, worsted, per cwt.	*0*	*2*
	Yams, per package	*0*	*2*
	Zaffres, per cwt.	*0*	*4*
	Zedoary, per cwt.	*0*	*4*
	Zinc, per ton	*1*	*4*

All other Goods not particularly enumerated above.

	Light goods, per barrel bulk	*0*	*2*
	Heavy goods, per ton	*1*	*4*
	In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.		
	Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than 2½ cwt. then 2½ cwt. to be rated as a barrel bulk.		

Luggage.

	For any portmanteau, trunk, parcel, or other article of passengers luggage, per package	*0*	*2*

II.—Rates for the Use of Cranes, Weighing Machines, Sheds, and Works.

1st. Rates of Craneage.

	All goods or packages not exceeding one ton	*0*	*3*
	Exceeding one ton, and not exceeding two tons	*0*	*4*
	Exceeding two tons, and not exceeding three tons	*0*	*6*
	Exceeding three tons, and not exceeding four tons	*0*	*8*
	Exceeding four tons, and not exceeding five tons	*0*	*10*
	Exceeding five tons, and not exceeding six tons	*1*	*0*
	Exceeding six tons, and not exceeding seven tons	*1*	*2*
	Exceeding seven tons, and not exceeding eight tons	*1*	*4*
	Exceeding eight tons, and not exceeding nine tons	*1*	*8*
	Exceeding nine tons, and not exceeding ten tons	*2*	*0*
	Exceeding ten tons	*3*	*0*

2nd. Weighing Machines.

For goods weighed, *1d.* for each ton, or part of a ton.

Ardglass.

3rd. Shed Dues.

For each ton of goods of eight barrels bulk, or for each ton of goods of 20 cwt., which shall remain in the sheds or on the quays of the Harbour for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

Luggage.

	s.	*d.*
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day - - - - per package	*0*	*2*

III.—Rates on Vessels entering or using the existing Harbour or the new Works.

For every vessel under the burden of 15 tons - - per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons - per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards - per ton	*1*	*0*
All lighters for any vessel in the roads shall be exempt from rates; but if the vessel do not use the Harbour or pier, every lighter shall pay for each trip - - - - - - - per ton	*0*	*2*
All boats entirely open, landing or taking on board goods or dried, or salted fish - - - - - - - each	*0*	*6*
All drave or large boats using the pier with fresh fish - - each	*0*	*4*
For every vessel which shall remain in the harbour more than one month continuously, there shall be paid for every month or part of a month during which the same shall remain in the harbour after the first month the further sum per register ton of - - - -	*0*	*0½*

Exemptions.

(1.) Yachts, pleasure boats, and boats entirely open:
(2.) Vessels using the harbour solely as a Harbour of Refuge, and remaining therein not more than 60 hours continuously.

FILEY.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Harbour at Filey in the County of York.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Filey Fishery Harbour in the county of York made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a harbour at Filey in the county of York, and praying their Lordships to approve the project thus submitted, and to grant a Provisional Order for its execution, containing all proper powers and privileges for the complete execution of the works, and for the levying of rates, and for the incorporation of a Company for the undertaking:

And

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And whereas the estimated expenditure on the proposed works is one hundred thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Filey Fishery Harbour Company.

Incorporation of Company.

1. The following persons, namely, Sir John Mark Frederic Smith, Knight, a General in Her Majesty's Army, John Unett, Esquire, Henry Bentley, Esquire, and William Smithson Cortis, Esquire, and all other persons and corporations who have subscribed or shall subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making, maintaining, and regulating the harbour and works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of The Filey Fishery Harbour Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Filey Fishery Harbour Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Clauses Acts.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be one hundred thousand pounds in ten thousand shares of ten pounds each.

Calls.

5. No call shall exceed two pounds ten shillings a share, or be made payable within three months of a previous call.

Power to create preference shares.

6. The Company, with the sanction of at least three fifths in value of the votes of the shareholders present in person or by proxy at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares not exceeding one third part of the capital dividend at a rate not exceeding five pounds per centum per annum in priority to the dividend on the other shares of the capital.

Borrowing on mortgage.

7. The Company, from time to time, may borrow on mortgage at interest any sum or sums of money not exceeding in the whole fifty thousand pounds,

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but no money shall be so borrowed until the whole of the capital of one hundred thousand pounds is subscribed for or taken, and one half thereof is paid up, and the Company satisfy the Justice who certifies under section forty of The Companies Clauses Consolidation Act, 1845, before he so certifies, that all the capital has been subscribed for or taken bonâ fide, and is held by registered holders thereof legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

8. The mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages, by the appointment of a receiver, and the amount to authorize a requisition for a receiver is ten thousand pounds.

No interest or dividend on calls.

9. The Company shall not, out of any money raised by calls or borrowing pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purpose of Order.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First general meeting.

12. The first general meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine.

Number of directors.

13. The number of directors shall not be more than nine or less than five.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. General Sir John Mark Frederic Smith, Knight, John Unett, Henry Bentley, and William Smithson Cortis, with such other shareholders (if any) as they add to their number, shall be the first directors; and the first directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and directors shall be elected by the meeting, the retiring directors being re-eligible.

Qualification.

16. The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of shares in the capital of the Company to the aggregate nominal amount of at least two hundred and fifty pounds.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors as they determine.

Lands.

Power to take lands by agreement.

18. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all such parts of the lands shown on the deposited plans as they think requisite for the purposes of the proposed harbour and works, and the conveniences connected therewith.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

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Works.

Power to make works.

20. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the harbour and works authorized by this Order.

Description of works authorized.

21. The works authorized by this Order comprise the following:

(1.) A quay or pier commencing about seventy yards southward of a point on the western shore of Filey Bay, called The North Cobble Landing, and extending seawards one thousand one hundred and thirty yards or thereabouts in an easterly direction;

(2.) A breakwater commencing at or near to the eastern extremity of Carr Nase Point on the northern side of Filey Bay, and extending along Filey Brigg in an easterly direction for a distance of three hundred yards or thereabouts, and thence in a south-easterly direction along the Spittals for a distance of two hundred and ninety yards or thereabouts;

with all piers, jetties, landing-places, breakwaters, roads, approaches, embankments, and other works and conveniences connected with such quay or pier or breakwater for the reception and accommodation of vessels and their cargoes, and for the embarking and landing of persons, fish, animals, and goods.

Limits of the harbour.

22. The limits of the harbour shall include the lands, foreshore, and bed of the sea contained within the following lines:

First. An imaginary line commencing on the line of high-water mark of ordinary spring tides on the shore of the township of Filey, at a point thereon distant four hundred yards southward of the South Cobble Landing, and drawn thence eastwardly at that distance from the proposed pier until it meets the line next herein-after described:

Second. An imaginary line commencing on the line of high-water mark of ordinary spring tides on the shore of the township of Filey at a point thereon north-westward of and at a distance of seven hundred feet or thereabouts from Carr Naze Point, at the commencement of the proposed breakwater, and drawn thence south-eastwardly through a point on the shore of Filey Brigg at a distance of one thousand feet or thereabouts from and about east and by north from Carr Naze Point, and thence at a distance of one hundred yards from the south-eastern extremity of the proposed breakwater until the line now describing meets the line first described:

Third. The line of high-water mark of ordinary spring tides between the western commencement of the first described line and the north-western commencement of the secondly described line.

Rates.

Power to take rates in schedule.

23. The Company may demand and take in respect of the vessels, persons, fish, animals, and goods in the schedule hereto specified any sums not exceeding the rates in that schedule specified.

Extra rates for vessels staying in harbour.

24. The Company by a byelaw may fix reasonable periods, not less than fourteen days each, after which vessels shall not be permitted to remain in the

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harbour without payment of such extra tonnage rates as the Company think reasonable, not exceeding the original rate for all or any part of every period in excess of the first period.

Pass tickets for use of pier.

25. The Company may grant to passengers and others pass tickets for the use of the pier on such terms, and for such periods not exceeding one year, as are agreed upon.

Pass tickets not transferable.

26. A pass ticket granted by the Company shall not be transferable, and shall not be used by any person other than the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, recoverable and applicable as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

Exemption of Custom House officers from rates.

27. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress into, through, and out of the harbour and works by land, and with their vessels and otherwise, without payment.

Application of rates.

28. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

(1.) To the maintenance of the works authorized by this Order.

(2.) In payment to an extent not exceeding one fifteenth part of the rates of any rent or rentcharge payable in respect of any lands acquired by the Company under this Order.

(3.) In payment of the interest accruing on money borrowed under the authority of this Order.

(4.) For the other purposes of the Company, including repayment of the principal of the money so borrowed when due and payable.

General Provisions.

Steam engines, lighters, &c.

29. The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Life boats, tide gauges, &c.

30. Notwithstanding anything in The Harbours, Docks, and Piers Clauses Act, 1847, it shall not be necessary for the Company to provide any life boat, mortar, rockets, tide gauge, weather gauge, or barometer, except on a requisition in that behalf by the Board of Trade.

Meters and weighers.

31. The Company shall have the appointment of meters and weighers within the limits of the harbour, and the works and lands of the Company adjoining or near to the harbour.

Limits of harbour master's authority.

32. The limits within which the lawful authority of the harbour master for the regulation of the harbour may be exercised shall be the harbour, and the works and lands of the Company adjoining and near to the harbour.

33. The

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33. The Company shall be a pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on pilotage authorities. Pilotage.

34. This Order may be cited as The Filey Fishery Harbour Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 26th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels and Boats using the Harbour or Piers or Works of the Company.

	£	s.	d.
1. Fishing boats or smacks, wholly or partially decked, for each time of using the harbour	0	2	6
If compounded for. Ditto — Ditto, for not exceeding three months	1	0	0
If compounded for. Ditto — Ditto, for exceeding three months and not exceeding six months	1	10	0
If compounded for. Ditto — Ditto, for exceeding six months and not exceeding one year	2	0	0
Open boats, for each time of using the harbour	0	1	0
If compounded for. Ditto — Ditto, for not exceeding three months	0	10	0
If compounded for. Ditto — Ditto, for exceeding three months and not exceeding six months	0	15	0
If compounded for. Ditto — Ditto, for exceeding six months and not exceeding one year	1	0	0
2. Other vessels taking in or discharging any cargo:			
For every vessel under the burden of 15 tons, per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton	0	1	0
All lighters, for each trip, per ton	0	0	2
All boats entirely open, landing or taking on board goods, each	0	0	6
3. Other vessels entering the harbour, but not discharging or taking in any cargo, viz.:—			
Vessels with cargo — per ton	0	0	6
Ditto light or in ballast — per ton	0	0	4

II.—Rates on Fish and Goods shipped or unshipped or transhipped within the Limits of the Harbour.

Herrings, per last	0	2	6
Turbot, per score	0	0	3
Turtle, each	0	2	6
Other fish, per cwt.	0	0	3
Ditto, per basket	0	0	2
Ale and porter, per hogshead	0	0	6
Ditto, per barrel	0	0	3

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	£	s.	d.
Anchors, per cwt.	0	0	9
Ditto stock, per foot	0	0	2
Beef or pork, per ton	0	1	4
Ditto, ditto, per barrel	0	0	2
Bones, per ton	0	0	6
Bone dust, ditto	0	0	8
Bricks, per 1,000	0	0	8
Casks (empty), per puncheon	0	0	3
Cattle:			
Bulls, cows, and oxen, each	0	3	0
Calves, ditto	0	1	0
Horses, ditto	0	4	0
Sheep and pigs, ditto	0	0	6
Chalk, per ton	0	1	0
Cheese, per cwt.	0	0	4
Carriages (four wheeled), each	0	7	6
Ditto, gigs, carts, and other two wheeled, ditto	0	5	0
Coals, per ton	0	1	0
Copper, ditto	0	3	0
Cordage, per cwt.	0	0	3
Corn and seeds, per quarter	0	0	6
Cork, per cwt.	0	0	6
Crystal, per box or package	0	0	6
Dogs, each	0	0	6
Drugs in casks, hampers, or boxes, per foot	0	0	2
Earthenware ditto ditto ditto	0	0	2
Eggs, per box	0	0	3
Flax, per ton	0	2	0
Flour and meal, per sack	0	0	4
Ditto ditto, per barrel	0	0	3
Fruit, per bushel or sieve	0	0	4
Furniture (household), per five cubic feet	0	0	4
Glass, per large crate	0	1	6
Ditto, per small ditto or case	0	1	0
Ditto, per box	0	0	6
Groceries (not enumerated), per cwt.	0	0	6
Guano, per ton	0	1	6
Gunpowder, per barrel or keg	0	0	6
Hams, bacon, or tongues, per cwt.	0	0	4
Hardware, per ton	0	2	6
Hares and rabbits, per dozen	0	0	4
Hay, per ton	0	1	6
Ditto, per truss	0	0	2
Hemp, per ton	0	2	0
Hides	0	0	3
Ox, cow, or horse (wet or dry), each	0	0	2
Iron:			
Bar, bolt, rod, and shots, per ton	0	1	6
Pig and old, ditto	0	1	0
Manufactured, ditto	0	2	6
Pots, each	0	0	1
Kelp, per ton	0	2	0
Lead, ditto	0	2	6
Leather (tanned and dressed), per cwt.	0	0	3
Lime, per twenty-eight bushels	0	1	4
Limestone, per ton	0	1	0
Machinery, ditto	0	2	6
Manure not enumerated, ditto	0	1	0

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		£	s.	d.
	Masts and spars, ten inches in diameter and upwards, each	0	4	6
	Ditto, under ten inches, ditto	0	3	0
	Meat (fresh), per cwt.	0	0	6
5	Milk, per gallon	0	0	0½
	Musical instruments, per cube foot	0	0	1
	Net, per five cubic feet	0	0	4
	Oakum, per cwt.	0	0	2
	Oils, per ton	0	2	0
10	Oil cake, ditto	0	2	0
	Oranges and lemons, per box	0	0	6
	Ores, per ton	0	1	0
	Oysters, per bushel	0	0	3
	Paint, per cwt.	0	0	4
15	Pitch and tar, per barrel	0	0	6
	Potatoes, per cwt.	0	0	2
	Poultry and game, per dozen	0	0	4
	Rags and old rope, per ton	0	2	0
	Sails, per cwt.	0	0	6
20	Salt, ditto	0	0	1
	Sand, per ton	0	1	0
	Shrimp baskets, each	0	0	2
	Skins, calf, goat, sheep, lamb, or dog, per dozen	0	0	6
	Slates, per ton of twenty-four cubic feet	0	2	0
25	Spirits (Foreign and British), per hogshead	0	1	0
	Ditto, per gallon	0	0	1
	Stones, per ton of sixteen cubic feet	0	1	6
	Steel, per ton	0	3	0
	Sugar, per cwt.	0	0	3
30	Tallow, soap, and candles, per cwt.	0	0	3
	Tea, per chest	0	1	0
	Tiles, per 1,000	0	1	6
	Tin and zinc, per ton	0	3	0
	Tobacco, per cwt.	0	0	6
35	Turnips, per ton	0	0	6
	Turpentine and varnish, per barrel	0	0	6
	Vegetables (not enumerated), per cwt.	0	0	4
	Vinegar, per hogshead	0	0	6
	Vitriol, per carboy	0	1	0
40	Water, per cask	0	0	3
	Wine, per hogshead	0	1	0
	Ditto (bottled), per dozen	0	0	2
	Wood:			
	Fir, pine, and other descriptions (not enumerated), per load of			
45	50 feet	0	1	6
	Oak or wainscot, per load of 50 feet	0	2	0
	Firewood, per fathom of 216 cubic feet	0	1	6
	Laths and lathwood, ditto	0	2	6
	Handspikes, per 120	0	3	0
50	Oars, ditto	0	5	0
	Spars under 22 feet in length, above 2½ and under 4 inches in diameter, ditto	0	5	0
	Ditto 2½ inches in diameter and under, ditto	0	4	0
	Ditto 22 feet in length and upwards and not exceeding			
55	4 inches in diameter, ditto	0	9	0
	Ditto above 4 and under 6 inches in diameter, ditto	0	14	0
	Spokes of wheels not exceeding 2 feet in length, ditto	0	2	0
	Ditto exceeding 2 feet in length, ditto	0	3	0
	Trenails, per 1,000	0	2	6

Filey.

	£	s.	d.
Wood—*continued.*			
Wedges, ditto	0	2	6
Pipe staves and others in proportion, per 120	0	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	0	2	0
Wool, per cwt.	0	0	4
Yarn, ditto	0	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED.

Light goods, per cube foot	0	0	1
Heavy goods, per ton	0	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates to be charged.

III.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1st. Rates of Craneage.

All goods or packages not exceeding 1 ton	0	0	4
Exceeding 1 ton and not exceeding 2 tons	0	0	6
Exceeding 2 tons and not exceeding 3 tons	0	0	8
Exceeding 3 tons and not exceeding 4 tons	0	0	10
Exceeding 4 tons and not exceeding 5 tons	0	1	0
Exceeding 5 tons and not exceeding 6 tons	0	1	2
Exceeding 6 tons and not exceeding 7 tons	0	1	4
Exceeding 7 tons and not exceeding 8 tons	0	1	6
Exceeding 8 tons and not exceeding 9 tons	0	1	10
Exceeding 9 tons and not exceeding 10 tons	0	2	4
Exceeding 10 tons	0	3	6

2nd. Weighing Machines.

For goods weighed for every ton or part of a ton	0	0	3

3rd. Shed Dues.

For every ton of goods of 40 cubic feet, or for every ton of goods of 20 cwt. which remains in the warehouses or sheds or other works of the company for longer than forty-eight hours	0	0	3
And per ton for each day during which the goods remain after first forty-eight hours	0	0	1½
For any portmanteau, trunk, parcel, or other article of passengers luggage, for every day or part of a day	0	0	2

IV.—RATES FOR LAYING WATER MAINS ON PIER.

Water, per ton	0	0	6

V.—RATES ON PASSENGERS AND OTHERS USING THE PIER.

For every passenger or other person landing on or embarking on the pier from or to any vessel or passage boat, for every time	0	0	4
For every person using the pier for pleasure or any purpose, except for so landing or embarking, for every time	0	0	2
For every bath or sedan chair taken on the pier, for every time	0	0	6
For every perambulator ditto	0	0	2
For every master of any vessel or boat being an inhabitant of the township of Filey, and using the pier for going to or returning from his own vessel or boat, the yearly sum of	1	0	0

VI.—Rates on Passengers Luggage landed or embarked or transhipped within the Harbour. *Filey.*

	£	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage not exceeding 28 lbs.	0	0	2
Exceeding 28 lbs. and not exceeding 84 lbs.	0	0	4
Exceeding 84 lbs. and not exceeding 112 lbs.	0	0	5
Exceeding 112 lbs. and not exceeding 140 lbs.	0	0	6
Exceeding 140 lbs. and not exceeding 196 lbs.	0	0	7
Exceeding 196 lbs. and not exceeding 2 cwt.	0	0	8
And for every cwt. exceeding 2 cwt.	0	0	4
And for every 20 lbs. weight in addition	0	0	1

GREENOCK.

Provisional Order of the Board of Trade to enable the Trustees of the Port and Harbours of Greenock on the Frith of Clyde to widen and extend Albert Harbour there, and for the Improvement, Maintenance, and Regulation of the said Port and Harbours.

Whereas the provost, four bailies, treasurer, and whole councillors of the burgh of Greenock on the Frith of Clyde, acting under the Local Act of Parliament of the fifth year of the reign of Her present Majesty, session second, chapter fifty-four, and the several other Acts of Parliament as to the port and harbours of Greenock therein recited, that is to say, the following Local Acts of the reign of His Majesty King George the Third, namely, of the thirteenth year, chapter twenty-eight, of the twenty-ninth year, chapter forty-three, of the forty-first year, chapter fifty-one, of the forty-third year, chapter eighty-seven, of the fiftieth year, chapter one hundred and sixty-seven, and of the fifty-seventh year, chapter thirty-two, are the trustees of the said port and harbours of Greenock, in this Order called the trustees: Preamble.

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the trustees made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after styled the Board of Trade, praying for a Provisional Order under the said last-mentioned Acts for extension of a harbour called Albert Harbour within the limits of their port, and now in course of construction by them under powers contained in the Act first mentioned, by widening the said harbour, and that they might have power to acquire lands and property for that purpose, and that other provisions might be made in regard thereto:

And whereas the estimated expenditure for the proposed extension and works is forty thousand pounds and no more:

And whereas the trustees claim a right to levy certain dues on ships bound to or from Glasgow which load or discharge at the Tail of the Bank in the Clyde, and on the goods there laden into and discharged from such ships:

Greenock.

And whereas the said claim is disputed, and it is expedient that such dispute should be put an end to in the manner and at the time herein-after mentioned:

And whereas the trustees published the advertisements and deposited the documents which by the General Pier and Harbour Acts before mentioned they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled the present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatsoever):

Now, therefore, the Board of Trade do by this Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

The undertakers.

1. The trustees and their successors in office, trustees of the port and harbours of Greenock, shall be the undertakers under this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plan as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation (Scotland) Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections, make and maintain the further or extended works at the said Albert Harbour shown on the deposited plan.

Description of works.

5. The works authorized by this Order are the following:

An extension of the harbour called Albert Harbour, now in course of construction, by widening the same to the extent of twenty-three yards or thereby additional, on the southern side thereof, along the whole length of the said Albert Harbour, being three hundred and thirty yards or thereby, embracing the extension of the East Quay of the said Albert Harbour for the said distance of twenty-three yards or thereby in a southerly direction, and of the West Quay of the said Albert Harbour for a like distance in a like direction, and the formation of the South Quay at a like distance southward from its site as heretofore designed; and

and the excavation of the said additional harbour ground to be acquired under this Order to the requisite depth, as the said extended Albert Harbour ground and works are shown on the deposited plan and sections. *Greenock.*

Application of the Harbours, Docks, and Piers Clauses Act.

6. The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, excepting in so far as regards the provisions with respect to the construction of the harbour, dock, or pier, which, so far as the said Albert Harbour remains to be completed, shall be applicable to the same, and excepting also in so far as regards the sections fourteen, fifteen, twenty-five, and twenty-six, and the saving of rights sections of the said Act.

Trustees may levy rates.

7. The trustees may demand and receive for the use of the said Albert Harbour and works on all vessels, passengers, animals, goods, matters, and things resorting to, and landing at, or loaded or unloaded at the said Albert Harbour, or using the same, or works therewith connected, the rates, dues, and duties by the recited local Acts authorized to be levied for and at the said port and harbours of Greenock, as the same are or may be modified or altered by The Harbours and Passing Tolls, &c. Act, 1861, to be levied to the same extent, and by the same process, and in the same way and manner in all respects as the rates, dues, and duties leviable under the said local Acts as so modified or altered are and may be levied, demanded, and received.

Application of rates.

8. The said rates, dues, and duties shall be applicable to payment of the costs incurred in regard to this Order, and to the purposes to which the rates, dues, and duties leviable under the said recited local Acts are applicable, the said Albert Harbour and works being always regarded as part of the works and undertaking of the port and harbours of Greenock.

Application of Harbour Acts and of Police Act to this Order.

9. The whole provisions of the said recited local Acts, and also of the local Police Act of the third year of the reign of Her present Majesty, chapter twenty-seven, shall, so far as applicable and not altered by this Order, be applied to the said Albert Harbour and works as part of the works and undertaking of the said port and harbours of Greenock.

Trustees may apply funds in their hands in execution of works.

10. The trustees may apply in and towards execution of the said extension of Albert Harbour and works hereby authorized all funds in their hands derived from the rates and income of the trustees, or in their hands, or that may come to be in their hands, through any loan effected or that may be effected by them with the Public Works Loan Commissioners, or effected or to be effected with private parties.

Power to borrow.

11. For the purpose of the purchase of lands and property, and for the execution of the said extension of Albert Harbour and works, the trustees may borrow and take up at interest, on the credit of the whole rates, dues, and duties leviable by them, and of the other property vested in them, any sum or sums of money not exceeding forty thousand pounds, and on any part of the same being repaid re-borrow the same if necessary, and assignments for such sum or sums and transfers of the same may be granted and registered in all respects as by the Harbour Act first recited is provided in regard to the borrowing of money thereby authorized :

Provided always, that nothing herein contained shall affect any mortgage granted or that may be granted by the trustees to the Public Works Loan

Greenock.

Commissioners, whether with regard to its constitution, preference, or any other particular whatsoever, without consent of the said Commissioners, nor shall anything herein contained affect, as to priority or otherwise, any mortgage granted by the trustees to any person before the commencement of the operation of this Order.

Steam vessels, lighters, &c.

12. The trustees may provide such steam engines, steam vessels, piling engines, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for the purposes of the port and harbours, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

13. Part V. of The Harbours and Passing Tolls Act, 1861, shall apply to the said port and harbours of Greenock.

Abolition of dues levied at the Tail of the Bank.

14. All dues levied or leviable by the trustees on ships which, being bound to or from ports other than Greenock, load or discharge goods at the Tail of the Bank in the Clyde, or on goods there laden into or discharged from such ships, shall cease at the time following; that is to say,

If there is paid to the trustees a composition equal to the aggregate amount of the dues levied by them on such ships and goods as aforesaid during the four years ending the thirty-first day of December one thousand eight hundred and sixty-three, then immediately on such payment:

If no such composition is made, then from the thirty-first day of December one thousand eight hundred and sixty-eight:

Provided, that nothing in this section shall apply to any ships or goods that enter or use the basins, quays, or other harbour works of the trustees, or shall limit or otherwise affect the boundaries of the harbours of Greenock.

Short title.

15. This Order may be cited as The Greenock Harbour Order, 1864.

Board of Trade, Whitehall,
Dated this 29th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

CARLINGFORD LOUGH.

Provisional Order of the Board of Trade for the Improvement and Regulation of the Harbour of Carlingford Lough in Ireland.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Harbour of Carlingford Lough Improvement made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations (herein-after called the Board of Trade), praying them (among other things) to grant a Provisional Order under the said Acts, and thereby to constitute Commissioners or other proper Harbour authority for the Harbour of Carlingford Lough in Ireland, and to empower such Commissioners to make and maintain certain works and excavations at the bar and in and about the entrance

entrance of the Lough for the purpose of deepening the bar, and for the improvement of the entrance by the erection of buoys, beacons, and lights, and to levy rates, and to extinguish rights and privileges in and over the Lough, so far as the same might be inconsistent with the Order, especially the rights of Thomas Lord Clermont in respect of anchorage, and to provide for recompensing the said Lord Clermont and others (if any) whose rights should be extinguished, and to raise money for the purposes of such works and compensations: *Carlingford Lough.*

And whereas the estimated expenditure on the proposed works and excavations is eighty thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in that behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution, which Commissioners and their successors shall be and are hereby, for the purposes of this Order, incorporated by the name of The Harbour of Carlingford Lough Improvement Commissioners, and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Meaning of "the Commissioners."

2. The term "the Commissioners" herein-after used means the Harbour of Carlingford Lough Improvement Commissioners.

3. The appointment of the Commissioners shall be regulated as follows:

Appointment of the several Commissioners.

(1.) The following four persons are hereby appointed Commissioners, namely, William Forster, Richard Allen Minnitt, Edward Tipping, and Richard Mayne, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those four Commissioners, the Commissioners shall by a special order appoint another person to fill the vacancy, and so toties quoties:

(2.) Two of the Commissioners shall be appointed by the Newry Navigation Company, and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those two Commissioners, another person shall be appointed by that Company to fill the vacancy, and so toties quoties:

Carlingford Lough.

(3.) Two of the Commissioners shall be appointed by the Newry and Greenore Railway Company, and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those two Commissioners, another person shall be appointed by that Company to fill the vacancy, and so toties quoties:

(4.) Two of the Commissioners shall be appointed by the Dundalk and Greenore Railway Company, and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those two Commissioners, another person shall be appointed by that Company to fill the vacancy, and so toties quoties:

(5.) The Board of Trade may, if they think fit, at any time after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those two Commissioners, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties.

Incorporation of parts of 10 & 11 Vict. c. 16.

4. The Commissioners Clauses Act, 1847, (except sections seventeen to thirty-five, and ninety-six to ninety-eight, all inclusive,) shall be incorporated with this Order, and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade) unless he is seised or possessed of property to the value of one thousand pounds:

(2.) With reference to section thirty-nine of the last-mentioned Act, the prescribed number (constituting a quorum) of the Commissioners shall be five if and as long as there is any Commissioner appointed by the Board of Trade, and shall be three if the Board of Trade do not exercise the power of appointing a Commissioner, or if and as long as the offices of all Commissioners appointed by the Board of Trade are vacant:

(3.) The Board of Trade shall appoint a permanent auditor of the accounts of the Commissioners.

Undertakers.

5. The Commissioners shall be the undertakers of the works authorized by this Order.

Commencement of Commissioners powers.

6. The Commissioners shall be deemed fully constituted and incorporated, and shall commence to act under this Order, as soon as four persons have been appointed Commissioners in addition to the four appointed by this Order; and any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the failure of any Company to appoint a Commissioner.

Limits of Harbour.

7. The limits within which the Commissioners shall have authority (which shall be deemed the limits to which this Order extends) shall extend from and below the whole high-water line and mark of ordinary spring tides within Carlingford Lough, and to and within two imaginary right lines respectively drawn, one from Cranfield Point on the northern side of the entrance of the Lough

Lough to Hellyhunter Rock, and the other from that rock to Ballagan Point on the southern side of the entrance to the Lough. *Carlingford Lough.*

Power to take lands by agreement.

8. For the purposes of the works authorized by this Order the Commissioners may from time to time, by agreement, enter on, take, and use such lands within or around Carlingford Lough as may be required for the proposed works, not exceeding in the whole three acres.

Incorporation of Lands Clauses Acts.

9. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to execute works.

10. Subject to the provisions of this Order, the Commissioners may, on the site designated by this Order, and according to the deposited plans and sections, execute and maintain the works shown on the deposited plans and sections.

Description of works.

11. The works authorized by this Order comprise the following:

(1.) To blast, cut, dig, dredge, scour, cleanse, and remove the rocks, sand, clay, mud, and other substances in the bar or at the entrance or mouth of Carlingford Lough:

(2.) To erect, fix, lay down, and maintain any beacons, buoys, lights, warping posts, moorings, or other works necessary for the accommodation and guidance of ships and vessels in, into, or from Carlingford Lough, or for the navigation thereof, and to alter or abolish the same from time to time as may be necessary.

Rates in schedule.

12. Subject and according to the provisions of this Order, the Commissioners may demand and receive in respect of the ships, vessels, or other sailing or steaming craft described in the schedule to this Order any sums not exceeding the sums specified in that schedule.

Commencement of rates and cesser thereof in certain events.

13. As soon as the Commissioners are fully constituted and incorporated they may begin, and they may thenceforth continue, to demand and receive the rates authorized by this Order, subject nevertheless to the following provisions:

(1.) If within two years from the passing of an Act confirming this Order the channel or cut to be made in the bar or at the entrance or mouth of Carlingford Lough is not made of the depth of fourteen feet at least, then from the expiration of those two years the Commissioners shall not demand or receive any rates under this Order until the channel or cut is made of the depth of fourteen feet at least:

(2.) If within five years from the passing of an Act confirming this Order the channel or cut aforesaid is not made of the full depth proposed as shown on the deposited plans and sections, then from the expiration of those five years the Commissioners shall not demand or receive any rates under this Order until the channel or cut is made of the full depth aforesaid:

(3.) The Board of Trade, nevertheless, if it appears to them expedient, may from time to time extend the said period of two years for any time or times not exceeding in the whole one year, and may from time to time extend the said period of five years for any time or times not exceeding in the whole two years:

Carlingford Lough.

(4.) The Chairman of Quarter Sessions for the county of Louth, on proof being adduced to him that the channel or cut aforesaid is made of the depth of fourteen feet or of the full depth proposed as aforesaid (as the case may be), shall sign and give to the Commissioners a certificate thereof, which certificate shall be conclusive evidence of the matters therein certified.

Power for purchase of anchorage and other rights.

14. The Commissioners may purchase the rights of Thomas Lord Clermont in respect of the custom of anchorage in Carlingford Lough, and may purchase any other right, privilege, or custom in, over, or affecting Carlingford Lough, or the bed or waters thereof, so far as the same may interfere with the rights, powers, or duties of the Commissioners.

Application of Lands Clauses Acts.

15. For the purpose of every such purchase The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall apply in relation to the said custom of anchorage, and any other right, privilege, or custom as aforesaid, and the same respectively shall be deemed to be an estate or interest in lands.

Transfer to Commissioners of right to levy rates.

16. If the Commissioners purchase the said custom of anchorage, or any other such right, privilege, or custom as aforesaid conferring a title to levy any rates, tolls, or dues, they may, in addition to all other rates, tolls, or dues authorized by this Order, demand and receive all rates, tolls, and dues the title to levy which is conferred as aforesaid, or in lieu thereof such tonnage rates on vessels entering or leaving Carlingford Lough as the Board of Trade, or an arbitrator appointed by the Board of Trade, may determine to be a fair equivalent for such last-mentioned rates, tolls, and dues.

Borrowing power.

17. The Commissioners may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of eighty thousand pounds, on the security of the works authorized by this Order, and of the lands and property connected therewith, and of the rates, tolls, and dues authorized by this Order, or of any of those particulars, or of any other the property of the Commissioners.

Receiver.

18. The mortgagees of the Commissioners may enforce the payment of the arrears of interest or of the arrears of principal and interest due to them on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver shall be five hundred pounds.

Money to be applied for the purposes of Order.

19. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of rates and income.

20. The Commissioners shall apply all money received by them from the rates, tolls, and dues authorized by this Order, and all other income coming into their hands in respect of the works authorized by this Order, or from the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

(1.) In paying the expenses of the maintenance, management, and regulation of the works authorized by this Order, and of the lands and property connected or used therewith:

(2.) In paying (to an extent not exceeding one fifteenth part of the rates, tolls, and dues) any rent or other annual charge that may become payable

payable under this Order to the said Thomas Lord Clermont, his heirs or assigns, as compensation for the said custom of anchorage, or to any other person in respect of any such right, privilege, or custom as aforesaid: *Carlingford Lough.*

(3.) In paying the interest accruing on money borrowed under the authority of this Order, and any sum payable on account of the principal thereof, or on account of the principal of any other money chargeable under this Order on the property of the Commissioners.

Revision of rates.

21. The Commissioners shall from time to time revise the rates, tolls, and dues receivable under this Order, so that the income of the Commissioners under this Order may always be, as far as is practicable, sufficient and not more than sufficient to meet the expenditure directed or authorized by this Order.

Commissioners may provide engines, lighters, &c.

22. The Commissioners may, for the purposes of the works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving-bells, ballast lighters, rubbish-lighters, tools, plant, or other materials as they think fit, and may from time to time, as they think fit, sell and dispose of any such dredges, engines, tugs, vessels, diving-bells, lighters, tools, plant, and materials as aforesaid, and shall apply the money thereby realized for carrying into effect the purposes of this Order, or some of them.

Pilotage, lights, buoys, and beacons.

23. The Commissioners shall be a pilotage authority and local authority within the meaning of The Merchant Shipping Act, 1854, and the Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Lands for extraordinary purposes.

24. The Commissioners shall not acquire for extraordinary purposes lands exceeding in extent in the whole two acres.

Exception of parts of Harbours Clauses Act.

25. Sections sixteen, seventeen, eighteen, nineteen, twenty-five, and twenty-six of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Confirmation of byelaws and provision for management of harbour.

26. Any byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the Harbour Master, by virtue of section 52 of that Act, or of any other authority, or for the Commissioners, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Saving rights of navigation company and of railway companies.

27. Nothing in this Order contained shall take away, alter, lessen, or prejudice any of the respective rights, privileges, powers, or authorities vested in or enjoyed by the Newry Navigation Company, the Newry and Greenore Railway Company, and the Dundalk and Greenore Railway Company, or any or either of them.

Costs of Order.

28. The Commissioners shall pay the costs of and connected with the obtaining, preparation, and making of this Order out of the first money which comes to their hands under this Order.

Carlingford Lough.

Short title.

29. This Order may be cited as The Harbour of Carlingford Lough Improvement Order, 1864.

Board of Trade, Whitehall.
Dated this 1st day of April 1864.

(Signed) JAMES BOOTH,
Secretary.

The SCHEDULE referred to in the foregoing Order.

	s.	*d.*
For every vessel entering Carlingford Lough without delivering or loading cargo there, per registered ton - - - -	*0*	*3*
For every vessel entering or leaving Carlingford Lough and delivering or loading cargo there:		
If coming from or going to any port in the United Kingdom or the Isle of Man, per registered ton - - - -	*0*	*6*
If coming from or going to any port other than a port in the United Kingdom or the Isle of Man, per registered ton -	*0*	*9*

Exemptions.

All sailing vessels under 75 tons, and all steam vessels under 100 tons, to be exempt altogether.

All vessels under 1,000 tons to be exempt if they enter or leave between half flood and the next half ebb tide.

WEXFORD.

Provisional Order of the Board of Trade for the Improvement of the Entrance to Wexford Harbour.

Preamble.

Whereas by The Wexford Harbour Commissioners Act, 1862, the Wexford Harbour Commissioners were incorporated for the purpose of carrying into execution that Act, and an Act (Local) passed in the session of the sixth and seventh years of the reign of Her Majesty (chapter forty-one), intituled "An "Act for improving, maintaining, and regulating the harbour of Wexford in "the county of Wexford:"

And whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the said Commissioners made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations (herein-after called the Board of Trade), praying their Lordships to grant a Provisional Order under the last-mentioned Acts for executing the works herein-after specified, with power

power to levy and recover rates according to the schedule in the memorial referred to: *Wexford.*

And whereas the estimated expenditure on the proposed works is twenty thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The Wexford Harbour Commissioners, herein-after called the Commissioners, shall be the undertakers of the works authorized by this Order. The undertakers.

Borrowing.

2. In addition to the money which the Commissioners are authorized to borrow at the time of this Order coming into force, they may borrow, at interest, such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of twenty thousand pounds, on mortgage of all or any part of the rates and property leviable and acquired by the Commissioners under the Acts first and secondly herein-before mentioned, or either of them, or under this Order; and any money borrowed under this Order, and discharged otherwise than by means of the sinking fund, may be re-borrowed, if required for the purposes of this Order, and so toties quoties. Borrowing.

3. All securities affecting the rates and property leviable and acquired under the last-mentioned Acts, or either of them, granted before the time of this Order coming into force, shall have priority over any mortgage thereof granted under this Order. Priority of existing mortgages.

4. The provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order. Commissioners Clauses Act.

5. The amount to be every year appropriated as a sinking fund is one fiftieth part of the principal money borrowed, such appropriation to commence from the expiration of one year after the Commissioners are entitled to begin to demand and receive rates under this Order. Sinking fund.

6. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their Receiver.

Wexford.

Money to be applied to purposes of Order.

respective mortgages by the appointment of a receiver; the amount to authorize a requisition for a receiver is two thousand pounds.

7. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Lands.

Power to take lands by agreement.

8. For the purposes of this Order the Commissioners may from time to time, by agreement, enter upon, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works, and the Commissioners may also purchase, take on lease, or otherwise acquire, by agreement, any lands adjacent or near to the harbour of Wexford not exceeding in extent in the whole five acres, to be used by them for the purpose of depositing ballast thereon.

Lands Clauses Acts incorporated.

9. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

10. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

11. The works authorized by this Order comprise the following:

To embank or pile a portion of the north-western side of the sandbank called the Doggerbank, which forms the south-eastern side of the north-eastern sea channel leading to the entrance to the harbour of Wexford, and to raise the said Doggerbank:

To stop up a channel or swashway leading across the said Doggerbank:

To alter, deepen, and improve the said north-eastern sea channel, and also the southern sea channel, called the Hantoon Channel, leading to the entrance to the said harbour.

Rates.

Power to take rates according to schedule.

12. In addition to the rates which the Commissioners are authorized to demand and receive at the time of this Order coming into force, they may demand and receive in respect of the vessels mentioned in the schedule hereto any sums not exceeding the rates in that schedule specified.

Custom House officers exempt from rates.

13. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the harbour and works with their vessels and otherwise without payment.

Application of rates and monies received by the Commissioners.

14. The Commissioners shall pply all rates received under this Order after defraying the expense of collecting the same, and all other money coming to their hands from the works by this Order authorized, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

1. In paying the costs of and connected with the preparation and making of this Order:

2. In

2. In paying the expenses of the maintenance, management, and regulation of the works authorized by this Order, and of the lands and property connected therewith:

3. In paying the interest on any money borrowed under this Order, and in creating the sinking fund required by this Order:

4. In and towards the purposes of the said harbour, as regulated by the Acts of Parliament relating thereto.

General Provisions.

15. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen. Harbours, Docks, and Piers Clauses Act.

16. The Commissioners shall not purchase for extraordinary purposes lands exceeding in extent in the whole five acres. Lands for extraordinary purposes.

17. The Commissioners may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effecting any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

18. This Order may be cited as The Wexford Harbour Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 1st day of April 1864.

(Signed) James Booth,
Secretary.

SCHEDULE to which this Order refers.

Rates on Vessels entering within the Limits of the Harbour or Works.

For every vessel which shall enter within the limits of the harbour of Wexford, or of the works authorized by this Order, the sum of *2d.* per ton upon each and every ton which such vessel shall measure.

TORQUAY.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Torquay in the County of Devon.

Preamble.
43 Geo. 3. c. lxxxviii.

Whereas by an Act of the forty-third year of King George the Third, intituled "An Act for repairing, enlarging, and improving the pier and quay "within the Port or Harbour of Torquay in the county of Devon," (herein-after called the Act of 1803,) Sir Lawrence Palk, then of Haldon House in the county of Devon, Baronet, since deceased, his heirs and assigns, were authorized to repair or enlarge and rebuild the then pier or quay at Torquay, or to build new piers or quays within the part therein described of the Harbour of Torquay, which part is herein-after referred to as the Old Harbour, on his or their lands there, as he or they should think fit, and to demand and take for all ships, boats, and other vessels thenceforth coming into or otherwise using the Old Harbour, or lying at anchor within the same, and for all goods, wares, merchandise, and other things landed or shipped within or from the Old Harbour, and for the passengers in every such ship or other vessel, rates, duties, and tolls not exceeding the sums specified in the schedule thereunto annexed:

And whereas Sir Lawrence Palk, deceased, improved the Old Harbour accordingly:

And whereas the Old Harbour, and the lands heretofore of Sir Lawrence Palk, deceased, within the limits thereof, and the works made by him there, and the rates, duties, and tolls granted by the Act of 1803, and the powers and privileges thereby granted, now are part of the settled estates late of Sir Lawrence Palk, deceased, whereof the present Sir Lawrence Palk, of Haldon House in the county of Devon, Baronet, is now the tenant for life in possession without impeachment of waste, with divers remainders over in strict settlement:

And whereas divers lands to which this Order relates also form part of those settled estates, and the pier, wharf, and other works by this Order authorized, when made, will also form part of those settled estates:

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the present Sir Lawrence Palk, as promoter of the undertaking to which this Provisional Order relates, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board to grant a Provisional Order under those Acts, and thereby to constitute the promoter and others a harbour authority for the purposes of the Order, and to authorize him and them to make and maintain additional piers, wharves, and other works within the limits in that behalf of the Order, and to levy and recover rates, tolls, and duties, and in the Order to specify the terms and conditions to be observed by the undertakers for the making, maintaining, and managing of the works, and to grant such other powers, privileges, and authorities as to the Board of Trade might seem fit:

And

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And whereas the estimated expenditure on the proposed works is fifty-one thousand pounds, and no more:

And whereas the promoter published the advertisements and deposited the documents which by the last-mentioned Act he was required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The present Sir Lawrence Palk, Baronet, and other the person and persons from time to time entitled to the lands and works to which this Order relates, shall be the undertakers for the purposes of this Order, and shall have and may exercise the several powers, privileges, and authorities by this Order conferred on the undertakers, and may carry this Order in all respects into execution.

Power to take lands by agreement.

2. For the purposes of the works authorized by this Order the undertakers from time to time, by agreement, may appropriate, or may enter upon and take and may use, such of the lands shown on the plans deposited for the purposes of this Order as they think expedient.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may execute, make, and maintain on the lands taken or appropriated by them for the purposes of this Order the works by this Order authorized, and, so far as the same are shown on the plans and sections deposited for the purposes of this Order, may make the same in the lines and in accordance with the levels shown on the deposited plans and sections respectively, or within the limits of lateral deviation shown on the deposited plans, and, as regards vertical deviation, within five feet from those levels.

Description of works.

5. The works which by this Order the undertakers are authorized to execute, make, and maintain comprise the following works, with all proper and sufficient quays, wharves, yards, warehouses, approaches, accessories, and incidental works and conveniences whatsoever; (that is to say,)

(1.) A pier or breakwater constructed of stone commencing at the point called Land's End or Peak of Tor, and extending into the bay in a westerly direction for a length of seven hundred feet or thereabouts, with a cant or elbow at its outer end constructed of timber:

Torquay.

(2.) An extension of the present stone breakwater (situate on the east side of Beacon Hill) from its present termination to the Outer Millstone Rock, such extension to be one hundred and forty feet in length or thereabouts:

(3.) A wharf (for the storage of goods as well as for the loading and discharging of vessels) extending from the inner or northern end of the said present breakwater to the inner or eastern end of the proposed pier, the western portion thereof for a length of two hundred and fifty feet or thereabouts, and the eastern portion thereof for a length of three hundred and thirty feet or thereabouts, to be formed with a flat slope towards the harbour, and to be left open for the beaching of vessels or boats; the central portion for a length of six hundred and fifty feet or thereabouts to be faced with timber framing, with a platform thereon, with proper fender piles, and to be made convenient for the loading and discharging of vessels.

Power to fill up part of Old Harbour.

6. The undertakers may from time to time, subject to the approval of the Board of Trade, inclose and fill up any part of the Old Harbour, and appropriate and use the same for the purpose of widening the streets or parades abutting on or adjacent to the Old Harbour, or otherwise improving the town of Torquay.

Limits of new harbour as to rates.

7. With respect to the levying of rates the limits of the new harbour comprise the pier or breakwater, extension of breakwater, and wharf by this Order authorized, and the lands, foreshore, and sea contained within the same, and within an imaginary line drawn from the outer edge of the western end of the pier or breakwater to the outer edge of the eastern end of the present breakwater as extended.

Limits of new harbour except as to rates.

8. For all the purposes of this Order, other than the levying of rates, the limits of the new harbour are the following; (that is to say,) the lands, foreshore, and bed of the sea contained within the following lines; (that is to say,)

(A.) An imaginary line drawn due west from the centre of the natural arch called London Bridge for a distance of five hundred yards or thereabouts;

(B.) An imaginary line drawn due north-westward from the western end of the line (A.) until it touches the imaginary line which forms the western boundary of the Old Harbour (which last-mentioned boundary is described in the Act of 1803 as "a direct line from a certain "stone post on Torquay Bridge to other stone posts and a ring on "the beach at Torquay, and from thence to or near to the centre "of the clift called Foxhole Point in the parish of Paignton");

(C.) The imaginary line forming that western boundary of the Old Harbour from the point at which it is touched by the line (B.) to the line of high-water mark of highest spring tides near to the Western Quay Wall of the present tidal basin of the Old Harbour; and

(D.) The present line of high-water mark of highest spring tides from the termination of the imaginary line (C.) to the commencement of the imaginary line (A.)

9. With

Torquay.

Rates for new harbour.

9. With respect to the new harbour, from and after the completion of the pier or breakwater and extension of breakwater authorized by this Order (of which completion a certificate signed by the Chairman of the Quarter Sessions shall be conclusive evidence, which certificate such Chairman shall sign on proof being adduced to him of such completion), the undertakers, from time to time, may demand and take for or in respect of the vessels, persons, animals, fish, goods, and things described in the schedule to this Order any rates not exceeding the several sums in that behalf specified in that schedule.

Rates for Old Harbour.

10. With respect to the Old Harbour, from the commencement of the operation of this Order, the rates, tolls, or duties leviable under the Act of 1803 shall cease to be levied, and thenceforth the undertakers may demand and take for or in respect of the vessels, persons, animals, fish, goods, and things described in the schedule to this Order any rates not exceeding the several sums in that behalf specified in that schedule:

Provided always, as follows:

(1.) Until rates become leviable under this Order with respect to the new harbour, such rates, tolls, or duties as are specified in the first and fifth items of the schedule to the Act of 1803 (and no others) shall be leviable with respect to the Old Harbour for or in respect of the things comprised in those items:

(2.) Nothing herein shall authorize with respect to the Old Harbour at any time the taking of any such rates as are mentioned in Table V. of the schedule to this Order.

Power to borrow for works.

11. The undertakers for the purposes of this Order from time to time may borrow and re-borrow at interest on mortgage of the undertaking, and the rates and moneys made payable under this Order, such moneys as they think fit, not exceeding in the whole fifty-five thousand pounds, and all the moneys so borrowed shall be applied only for purposes of the undertaking.

Commissioners Clauses Act.

12. The provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order.

Receiver for mortgagees.

13. The mortgagees of the undertakers may enforce the payment of the arrears of interest or of principal and interest due on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver is two thousand pounds.

Harbours Clauses Act.

14. Sections twenty-five, twenty-six, forty-nine and fifty of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Lands for extraordinary purposes.

15. The undertakers shall not purchase for extraordinary purposes lands exceeding in extent in the whole ten acres.

Pass tickets for use of piers, &c.

16. The undertakers may grant to passengers and others pass tickets for the use of the present breakwater and of the pier or breakwater, extension of breakwater, and wharf authorized by this Order, on such terms, and for such periods not exceeding one year, as are agreed upon, but so that no preference be given to any person.

Pass tickets not transferable.

17. A pass ticket granted by the undertakers shall not be transferable, and shall not be used by any person other than the person for whom it is granted, or by any person after the period limited for its use.

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Penalty for using false pass ticket, &c.

18. If any person acts in any way in contravention of the last preceding provision, or uses or attempts to use any false or counterfeit pass ticket, every person so offending shall for every such offence be liable to a penalty not exceeding twenty shillings.

Exemption of Custom House officers from rates.

19. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress into, through, and out of the Old Harbour and the new harbour and the works within the limits thereof respectively by land, and with their vessels and otherwise, without payment.

Steam engines, lighters, &c.

20. The undertakers may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, buoys, mooring posts, mooring craft, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for any of the purposes of the Act of 1803, or of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Lifeboats, tide-gauges, &c.

21. Notwithstanding anything in The Harbours, Docks, and Piers Clauses Act, 1847, it shall not be necessary for the undertakers to provide any lifeboat, mortar, rockets, tide-gauge, weather-gauge, or barometer, except on a requisition in that behalf by the Board of Trade.

Meters and weighers, &c.

22. The undertakers shall have the appointment of meters and weighers within the limits of the Old Harbour and of the new harbour, and the works and lands of the undertakers adjoining or near to the Old Harbour or to the new harbour, and also the appointment of crane attendants and quay porters in like manner and under the same regulations as meters and weighers.

Limits of harbour master's authority.

23. The limits within which the lawful authority of the harbour master for the regulation of the harbour may be exercised shall be the Old Harbour and the new harbour, and the works and lands of the undertakers adjoining and near to the Old Harbour and the new harbour.

Pilotage.

24. The undertakers shall be a pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on pilotage authorities.

Sheds, &c. on quays of Old Harbour.

25. Nothing in this Order shall confer on the undertakers any right or power to erect or maintain any shed or other building on any part of the quays or works of or connected with the Old Harbour; but nothing in this Order shall take away or abridge any right or power in that behalf now existing or exerciseable under the Act of 1803.

Saving for Act of 1803.

26. Subject to this Order, the Act of 1803 shall continue in force.

Short title.

27. This Order may be cited as The Torquay Harbour Order, 1864.

Board of Trade, Whitehall.
Dated this 4th day of April 1864.

(Signed) JAMES BOOTH,
Secretary.

The

The SCHEDULE referred to in the foregoing Order. *Torquay.*

TABLE I.—RATES ON VESSELS ENTERING THE NEW OR THE OLD HARBOUR (AS THE CASE MAY BE), OR USING EITHER OF THOSE HARBOURS (THOUGH NOT ENTERING IT) FOR SHIPPING, UNSHIPPING, OR TRANSHIPPING GOODS OR PASSENGERS.

	s.	*d.*
For every vessel, per register ton	*0*	*6*
For every vessel remaining in the harbour beyond one month, for each additional month per register ton, every fraction of a month being considered as one month	*0*	*2*
For every two-oared boat belonging to the harbour, yearly	*1*	*6*
For every four-oared boat belonging to the harbour, yearly	*2*	*6*
For every other vessel belonging to the harbour, not exceeding ten tons, yearly	*10*	*0*
For every vessel belonging to the harbour, when solely employed in the fishery on the coast, yearly, per register ton	*1*	*6*
For every open boat employed in taking goods to or from the harbour, each time	*1*	*0*

TABLE II.—RATES ON ANIMALS AND GOODS SHIPPED, UNSHIPPED, OR TRANSHIPPED IN THE NEW OR THE OLD HARBOUR (AS THE CASE MAY BE).

Apples, per bushel	*0*	*0½*
Ale, beer, or porter, per kilderkin	*0*	*3*
Ditto per half ditto	*0*	*2*
Ditto per barrel	*0*	*4*
Ditto per hogshead	*0*	*6*
Ditto in bottles per gallon	*0*	*0½*
Anchors, per cwt.	*0*	*2*
Alabaster, rough, per ton	*2*	*0*
Ditto, worked, per cwt.	*1*	*0*
Alum, per cwt.	*0*	*2*
Amber, per cwt.	*0*	*4*
Asphaltum, per cwt.	*0*	*1*
Ashes, barilla, pearl and pot, bleaching, soda, &c., per cwt.	*0*	*2*
Apparel, in boxes or packages, per cwt.	*0*	*2*
Blubber, per cwt.	*0*	*1*
Bricks, common, per 1,000	*2*	*0*
Ditto, fire, per 1,000	*3*	*0*
Ditto, scouring, per 100	*0*	*3*
Bread or biscuit, per cwt.	*0*	*2*
Brooms, per dozen	*0*	*1*
Bones, per ton	*2*	*0*
Basket rods, per 1,000	*0*	*3*
Ballast, per ton	*0*	*3*
Butter and lard, per cwt.	*0*	*3*
Bagging, per cwt.	*0*	*4*
Bark, tanners', per ton	*2*	*0*
Bellows, smiths', each	*0*	*6*
Ditto, common, per dozen	*0*	*6*
Blacking, per cwt.	*0*	*2*
Blocks, ship, per dozen	*0*	*1*
Books, per cwt.	*0*	*4*
Borax, per cwt.	*0*	*3*
Bran, per ton	*1*	*6*
Brimstone, per cwt.	*0*	*2*
Bristles, per 12 lbs.	*0*	*1*

Torquay.

	s.	d.
Brushes, hair, rush, and whalebone, per dozen	0	2
Bullion or plate, per foot measurement	0	3
Bullrushes, per bundle	0	2
Blue Lias, per cwt.	0	1
Brass, new, per cwt.	0	2
Ditto, old, per cwt.	0	1
Cider or perry, per pipe	0	6
Ditto, per hogshead	0	3
Ditto, per half hogshead	0	2
Ditto, in bottles, per gallon	0	0½
Coals, per ton	0	10
Culm, per ton	0	6
Carpet bags, each	0	1
Cement, per cwt.	0	1
Corn and grain, per quarter	0	3
Candles, per cwt.	0	3
Cheese, per cwt.	0	6
Clay, per ton	0	9
Carriage with 4 wheels, each	4	0
Ditto with 2 wheels, each	2	0
Carts and waggons, each	2	0
Ditto, hand, each	1	0
Chips, per 100 bundles	1	0
Coopers' flags or rushes, per bundle	0	0½
Corpses, each	5	0
Cordage, per cwt.	0	2
Cables, chain, per cwt.	0	1
Cork, per cwt.	0	3
Cattle:		
Bulls, each	2	6
Cows, and oxen, each	1	6
Horses, each	2	0
Calves, each	0	6
Pigs, each	0	4
Sheep, each	0	4
Lambs, each	0	2
Asses and mules, each	1	0
Canvas, per bolt	0	1
Chalk, per ton	0	6
Chimney pots, each	0	1
Cakes, linseed, rape or cotton seed, per ton	2	0
China, per barrel bulk	4	0
Coke, per ton	1	0
Cradles, each	0	2
Cordials or liqueurs, per hogshead	1	6
Ditto, in bottles, per gallon	0	3
Chain iron, per cwt.	0	2
Cloths, linen, woollen, or cotton, bale, pack, or truss, per cwt.	0	4
Ditto ditto in boxes, per cubic foot	0	1
Copper, per cwt.	0	2
Ditto furnaces, per 20 gallons	0	2
Cigars, per cwt.	0	6
Drugs and chemicals:		
Aloes, per cwt.	0	4
Aniseed, per cwt.	0	3
Arsenic, per cwt.	1	0
Bark, medicinal, per cwt.	0	6
Copperas, per barrel or bag	0	2

		s.	d.	*Torquay.*
	Drugs and chemicals—*cont.*			
	Cream of tartar, per cwt.	0	4	
	Gum, per cwt.	0	4	
	Juice, lemon, lime, and orange, per hogshead	1	0	
5	Mineral waters, per cwt.	0	2	
	Muriate of lime, potash, and soda, each, per cwt.	0	1	
	Salts, Epsom and Glauber, per cwt.	0	2	
	Dogs, per head	0	6	
	Dyers stuff, per cwt.	0	4	
10	Dyes, per cwt.	1	0	
	Earthenware, crate or package of, per foot	0	1	
	Ditto coarse in bulk, per potter's dozen	0	4	
	Eggs, per gross	0	1	
	Emery, per cwt.	0	2	
15	Ditto stones, per cwt.	0	1	
	Empty bottles, per dozen	0	0½	
	Ditto bags and sacks, per cwt.	0	2	
	Ditto cask, pipe, or puncheon, each	0	2	
	Ditto hogshead, barrel, or kilderkin, each	0	1	
20	Empty case, basket, or package, per five cubic feet	0	1	
	Flour, per ton	2	0	
	Feathers, per cwt.	0	6	
	Fish, wet or core and dry, per cwt.	0	1	
	Pilchards, cured, per hogshead	0	3	
25	Herrings, cured, per barrel	0	4	
	Other cured, per cwt.	0	1	
	Fruit, green, per cwt.	0	1	
	Ditto, dry, per cwt.	0	2	
	Flax, per ton	2	0	
30	Furniture, household, including musical instruments, pictures, paintings, and mirrors, &c., per cubic foot	0	1	
	Felt, per cwt.	0	1	
	Flock, per bag	0	3	
	Floor cloth, per cwt.	0	4	
35	Flower roots, plants, or trees, in packages, per cubic foot	0	1	
	Fuel, patent, per ton	1	0	
	Gates, common, wooden, each	0	2	
	Glue, per cwt.	0	2	
	Glass, per box, crate, or package, per cubic foot	0	1	
40	Groceries:			
	Angelica, per cwt.	0	3	
	Arrowroot, per cwt.	0	3	
	Cinnamon, per cwt.	1	0	
	Cloves, per cwt.	1	0	
45	Currants, per cwt.	0	1½	
	Cocoa, per cwt.	0	2	
	Coffee, per cwt.	0	3	
	Cranberries, per 5 gallons	0	1	
	Dates, per cwt.	0	2	
50	Figs, per cwt.	0	2	
	Ginger, per cwt.	0	2	
	Ginger bread, per cwt.	0	2	
	Groats, per cwt.	0	2	
	Lemons, per chest	0	4	
55	Ditto, per box	0	2	
	Maccaroni, per cwt.	0	4	
	Mace, per cwt.	1	0	
	Mustard, per firkin of 72 lbs.	0	3	
	Ditto, per firkin of 36 lbs.	0	2	

Torquay.

		s.	d.
Groceries—*continued.*			
Nutmegs, per cwt.		1	0
Nuts, per cwt.		0	2
Oranges, per chest		0	4
Ditto, per box		0	2
Olives, per barrel		0	2
Ditto, per jar		0	1
Pepper, per cwt.		0	3
Preserves, per cwt.		0	4
Pickles, per cwt.		0	3
Raisins, per cwt.		0	2
Rice, per cwt.		0	2
Spices, not enumerated, per cwt.		1	0
Sago, per cwt.		0	2
Tea, per cwt.		0	4
Tapioca, per cwt.		0	3
Vermicelli, per cwt.		0	6
Gunpowder, per cwt.		0	4
Grapes, per barrel or jar		0	2
Gravel or sand, per ton		0	3
Grease or greaves, per cwt.		0	1
Hoops, wooden, per dozen		0	1
Ditto, iron, per cwt.		0	1
Hurdles, wooden or wicker, per dozen		0	2
Hemp, per ton		2	0
Hops, per pocket		0	6
Hides, bullocks, raw or dry, per ton		2	0
Hides, fleshings, and rounding or glue pieces, per cwt.		0	2
Hair, per cwt.		0	3
Hay, per ton		2	0
Hanks for sails, per dozen		0	1
Honey, per gallon		0	1
Hoofs, per cwt.		0	1
Horns, per 100		0	4
Handles, broom, brush, shovel, and other, per dozen		0	1
Haberdashery, hosiery, and millinery, in bales, per cwt.		0	4
Ditto, ditto, in boxes, per foot		0	1
Hardware, per cwt.		0	2
Iron metal, pig, bar, and bolt, per ton		1	0
Ditto, castings, per ton		2	0
Ditto, wrought or manufactured articles, per cwt.		0	2
Ice, per ton		0	6
Indigo, per cwt.		1	6
Isinglass, per cwt.		0	6
Ivory, per cwt.		1	0
Ditto, black, per cwt.		0	1
Junk or old rope, per cwt.		0	1
Kelp, per ton		2	0
Lead, pigs of, per ton		1	6
Ditto, sheet, per cwt.		0	1
Leather, tanned, per cwt.		0	2
Ditto, wrought, per cwt.		0	3
Lime, per ton		0	5
Lamp black, per cwt.		0	6
Molasses, per cwt.		0	2
Malt, per quarter		0	6
Marble, unworked, per ton of 12 feet		1	6
Ditto, worked, per ton of 12 feet		5	0

		s.	d.	*Torquay.*
	Machinery, iron, per ton	2	6	
	Ditto, wood and iron mixed, per foot	0	1	
	Machines or implements, agricultural:			
5	Chaff cutters, for every 5 feet	0	2	
	Corn bruisers, for every 5 feet	0	2	
	Harrows, each	0	6	
	Ploughs, each	0	6	
	Rakes, hand, per dozen	0	2	
10	Ditto, horse, each	0	6	
	Scythes, per dozen	0	6	
	Spades, per dozen	0	3	
	Threshing, for every 5 feet	0	2	
	Winnowing, for every 5 feet	0	2	
15	Meat:			
	Salt or preserved, per cwt.	0	3	
	Bacon, per cwt.	0	3	
	Hams, per cwt.	0	3	
	Tongues, per cwt.	0	3	
20	Mats, per dozen	0	2	
	Matting, per cubic foot	0	0½	
	Maunds or hampers, new, per dozen	0	2	
	Meal, per cwt.	0	1	
	Mops and brushes, per dozen	0	3	
25	Millstones, each	0	6	
	Manure:			
	Artificial or manufactured bones, dissolved, and bone dust, per ton	1	6	
	Dung, per load	0	3	
	Earth, per load	0	3	
30	Guano, per ton	2	0	
	Fish, per ton	0	3	
	Metal, bell, per cwt.	0	2	
	Nails, iron, per cwt.	0	1	
	Nets or netting, per 5 cubic feet	0	4	
35	Oil, castor, per cwt.	0	4	
	Ditto, in flasks, per chest or package of 100 lbs.	0	4	
	Ditto, not enumerated, per hogshead	0	10	
	Oysters, per cwt.	0	1	
	Ochre, per cwt.	0	1	
40	Oakum, per cwt.	0	1	
	Onions, per cwt.	0	1	
	Ores and Minerals:			
	Black jack, per ton	0	6	
	Copper ore, per ton	0	6	
45	Iron ore, per ton	0	6	
	Manganese, per ton	0	6	
	Mundic, per ton	0	6	
	Lead ore, per ton	0	6	
	Tin ore, per ton	0	6	
50	Paper, stationers', per cwt.	0	4	
	Ditto, common, per cwt.	0	1½	
	Potatoes, per ton	2	0	
	Plaster of Paris, unwrought, per ton	0	6	
	Ditto, wrought, per cwt.	0	1	
55	Paints and painters' colours, and putty, per cwt.	0	2	
	Petroleum, per ton	5	0	
	Pipes, for smoking, per hogshead	1	0	
	Ditto, common or earthenware draining, per ton	1	0	
	Ditto, glazed, or other sewer pipes, per ton	1	6	

Torquay.

	s.	d.
Pumice stones, per cwt.	0	1
Quicksilver, per cwt.	0	9
Rags, per cwt.	0	1
Seeds, agricultural, per cwt.	0	6
Ditto, garden, per cwt.	1	0
Slate, rag, unwrought, and other, per ton	1	0
Soap, per cwt.	0	2
Sugar, refined, per cwt.	0	2
Ditto, moist or soft, per cwt.	0	1½
Shumack, per cwt.	0	2
Stone:		
Blue lias, unmanufactured, per ton	0	5
Cement, unmanufactured, per ton	0	5
Flint, per ton	0	3
Filtering, each	0	1
Flag, rough, per 100 feet	1	2
Ditto, worked, per 100 feet	2	0
Free, per ton	1	2
Grinding, per cwt.	0	1
Granite, per ton of 14 feet	0	8
Lime, per ton	0	3
Portland, per ton	0	8
Rubble, per ton	0	3
Salt, per ton	1	0
Ditto, coarse, for manure or other purposes, per ton	0	6
Spirits:		
Brandy, gin, rum, whiskey, per pipe, butt, or puncheon	2	0
Ditto, per hogshead	1	0
Shot, per cwt.	0	1
Sails, per cwt.	0	4
Skins:		
Horse, calf, or sheep, per score	0	3
Other, per score	0	6
Steel, unwrought, per cwt.	0	2
Saltpetre, per cwt.	0	2
Silk:		
Raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
Manufactured in package, per foot	0	2
Snuff, per cwt.	0	4
Soda, per ton	1	0
Soda water, per dozen	0	2
Solder and spelter, per cwt.	0	2
Spermaceti, per cwt.	0	8
Spokes for wheels, per dozen	0	2
Naves for wheels, per dozen	0	6
Sponge, per cwt.	1	6
Starch, per cwt.	0	2
Succades and sweetmeats, per cwt.	0	4
Sulphur, per cwt.	0	3
Tin, per cwt.	0	1
Trawl beams, each	0	4
Tallow, per cwt.	0	2
Tobacco, per cwt.	0	4
Turpentine, per cwt.	0	6
Talc, per cwt.	0	4
Tar, coal, per 100 gallons	0	6

Torquay.

		s.	*d.*
	Tar, other, pitch, or resin, per barrel	*0*	*2*
	Terra japonica, per ton	*2*	*0*
	Thrumbs, per ton	*0*	*4*
5	Tow, per cwt.	*0*	*1*
	Toys, in boxes, per foot	*0*	*1*
	Treacle or molasses, per puncheon	*1*	*0*
	Ditto, per half puncheon	*0*	*6*
	Ditto, per small cask	*0*	*3*
10	Treenails or Treennells, per 1,000, under 2 feet in length	*0*	*6*
	Ditto, per 1,000, exceeding 2 feet in length	*1*	*0*
	Twine, per cwt.	*0*	*3*
	Type, per cwt.	*0*	*6*
	Tiles, crease, ridge, or other, per ton	*1*	*3*
15	Valonia, per ton	*2*	*0*
	Vinegar, per hogshead	*1*	*0*
	Varnish, per cwt.	*0*	*3*
	Vegetables, per cwt.	*0*	*1*
	Vitriol, per carboy	*0*	*6*
20	Verdigris, per cwt.	*0*	*1*
	Wool, per cwt.	*0*	*4*
	Wire, iron, per cwt.	*0*	*2*
	Wax, per cwt.	*0*	*2*
	Whalebone, per 12 lbs.	*0*	*2*
25	Wheelbarrows, each	*0*	*2*
	Whetstones, per gross	*0*	*2*
	Whitening, per cwt.	*0*	*1*
	Wine, per hogshead	*1*	*0*
	Ditto, in bottles, per gallon	*0*	*1*
30	Wood:		
	Mahogany, cedar, rose, satin, and other furniture woods in bulk, per load of 50 feet	*3*	*0*
	Square baulk oak, pine, fir, or other timber not enumerated, per load of 50 feet	*1*	*0*
35	Deals, planks, or battens, per load of 50 feet	*1*	*3*
	Boards, rough or planed, per load of 50 feet	*1*	*6*
	Spars, per load of 50 feet	*1*	*3*
	Lignum vitæ, box, ebony, log, and dyers', per ton	*2*	*0*
	Round, per 40 feet, string measure	*1*	*0*
40	Boards for veneering, per cubic foot	*0*	*2*
	Staves, pipe, double, per 100	*1*	*0*
	Ditto, ditto, single, per 100	*0*	*6*
	Staves, hogshead or barrel, double, per 100	*0*	*6*
	Ditto, ditto, single, per 100	*0*	*3*
45	Lathwood, of 6 feet length, per fathom	*3*	*0*
	Laths, per 1,000	*0*	*2*
	Oars, per dozen	*0*	*6*
	Handspikes, per 100	*2*	*0*
	Firewood, per ton	*1*	*0*
50	Yarn, per cwt.	*0*	*2*
	Zinc, per cwt.	*0*	*1*

And so in proportion for any greater or less quantities, but no sum less than ½*d.*; and for all other goods not enumerated, but corresponding or nearly corresponding with those specially charged herein, in the
55 like proportion thereto, according to their nature and quality; and for other goods per barrel bulk *2d.*; per ton *2s. 6d.*; 5 cubic feet not exceeding 2½ cwts. being rated as a barrel bulk; and when the weight of 5 cubic feet is greater than 2½ cwts., then 2½ cwts. shall

Torquay.

be rated as a barrel bulk; and the charge by barrel bulk shall apply to all articles that can be measured, and by weight to all others, and the gross weight or measurement shall be taken.

TABLE III.—RATES FOR THE USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1st. Cranes.

		s.	*d.*
All goods or packages, not exceeding 1 ton		*0*	*6*
Ditto	exceeding 1 ton and not exceeding 2 tons	*0*	*8*
Ditto	exceeding 2 tons and not exceeding 3 tons	*0*	*10*
Ditto	exceeding 3 tons and not exceeding 4 tons	*1*	*0*
Ditto	exceeding 4 tons and not exceeding 5 tons	*1*	*2*
Ditto	exceeding 5 tons and not exceeding 6 tons	*1*	*4*
Ditto	exceeding 6 tons and not exceeding 7 tons	*1*	*6*
Ditto	exceeding 7 tons and not exceeding 8 tons	*2*	*0*
Ditto	exceeding 8 tons and not exceeding 9 tons	*2*	*6*
Ditto	exceeding 9 tons and not exceeding 10 tons	*3*	*0*

And exceeding 10 tons by special agreement with the harbour-master; but no crane is to be used for a greater weight than it is constructed to carry.

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton	*0*	*2*

3rd. Sheds.

For every parcel or quantity of goods of 8 barrels bulk, or of 1 ton of 20 cwts., deposited in the sheds, the sum of *3d.* per ton for each day or part of a day during which such goods shall remain, and in that proportion for every greater or less quantity, but not less than *1d.* shall be charged.

TABLE IV.—RATES ON PASSENGERS LANDING OR EMBARKING IN THE NEW OR THE OLD HARBOUR (AS THE CASE MAY BE).

For every passenger	*0*	*3*

TABLE V.—RATES FOR PROMENADERS ON THE PRESENT BREAKWATER, OR ON THE PIER OR BREAKWATER, EXTENSION OF BREAKWATER, OR WHARF, AUTHORIZED BY THE FOREGOING ORDER.

For every person who shall use any part of the works lastly above described for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding	*0*	*2*
For every bath or sedan chair taken on any part of those works, for each time any sum not exceeding	*0*	*6*
For every perambulator taken thereon, for each time any sum not exceeding	*0*	*2*

OBAN.

OBAN.

Provisional Order of the Board of Trade to enable the Trustees of the late John Marquess of Breadalbane to construct further Works at the Harbour of Oban in the County of Argyll; and to levy Rates; and for the Improvement and Maintenance and Regulation of the said Harbour.

Whereas, under The Pier and Harbour Order Confirmation Act, 1862, the Oban Pier and Harbour Order set out in the Schedule thereto, made under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, (which Order is herein-after called the Order of 1862,) empowering the Most Honourable John Marquess of Breadalbane, now deceased, to improve, maintain, and regulate the Pier and Harbour at Oban aforesaid in the county of Argyll, was confirmed: Preamble.

And whereas the Right Honourable Fox Earl of Dalhousie, the Honourable Charles Baillie, one of the Senators of the College of Justice, and Alexander Currie, Esq., one the principal Clerks of Session in Scotland, accepting and acting trustees appointed by the said deceased John Marquess of Breadalbane by his trust disposition and settlement dated the 26th day of November 1847, and registered along with other relative writings in the Books of Council and Session in Scotland the 26th day of December 1862, and now vested with the lands, pier and harbour, and other properties at Oban which belonged to the said deceased Marquess, herein-after called the promoters, made application by a memorial to the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, herein-after called the Board of Trade, representing that the works undertaken by the Order of 1862 had been completed, and praying their Lordships to grant another Provisional Order to amend the Order of 1862, and containing powers to them to construct a sea wall and breastwork and other works at the said pier and harbour, and to levy rates at the said pier and harbour and breastwork, and for other purposes:

And whereas the estimated expenditure on the said proposed works is two thousand five hundred pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the thirdly-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled the present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise

Oban.

of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order the following provisions shall take effect and be in force:

The undertakers.

1. The said Fox Earl of Dalhousie, Charles Baillie, and Alexander Currie, and the survivors and survivor of them, and the trustee or trustees to be assumed by them under the powers contained in the said trust disposition and settlement, and proprietors for the time being of the pier and harbour of Oban and works hereby authorized, shall be the undertakers under this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plan as intended to be taken for the purpose of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation (Scotland) Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plan and section, make and maintain the further works at the said pier and harbour shown on the deposited plan.

Description of Works.

5. The works authorized by this Order are the following:

A breastwork and sea wall and relative works commencing on the eastern side of the existing pier which belonged to the said deceased Marquess, and is now vested in the undertakers, and at a point 38 lineal yards or thereby south of the north-western or seaward extremity of the said pier, and extending a distance of 280 lineal yards or thereby from the said existing pier in a northerly direction, and terminating at or near to the southern and seaward extremity of the breastwork or sea wall which is already constructed in front or seaward of Columbia Terrace, on the lands of Dunolly, or at or near to the stream on the south end of the said last-mentioned breastwork, all situated at the town of Oban in the united parishes of Kilmore and Kilbride in the county of Argyll.

Time for completion of works.

6. The time for the completion of the works authorized by this Order shall be three years after the passing of an Act confirming this Order.

Partial repeal of Order of 1862.

7. The provision of the Order of 1862, whereby The Harbours, Docks, and Piers Clauses Act, 1847, with respect to rates, and to the collection and recovery of rates, and sections 16, 17, 18, and 19 in that Act contained, were declared not to be incorporated with that Order, shall, in so far as respects rates, and the collection and recovery of rates, be repealed, but the said sections 16, 17, 18, and 19 shall not be incorporated with the Order of 1862, or this Order.

Limits of harbour.

8. The limits of this Order shall be the limits or area shown in pink on the Admiralty plan or chart of Oban Bay, surveyed by Captain Robinson and Lieutenant

Lieutenant Creyke, of the Royal Navy, and published at the Hydrographic Office of the Admiralty on 1st October 1856, of which copies, having the said limits or area coloured as aforesaid, were, on or before 30th November 1863, deposited (with the other documents deposited under the Act thirdly hereinbefore mentioned on or before the last-mentioned date) at the office of the Sheriff Clerk of Argyllshire, at Inverary, at the Custom House at Greenock, and in the office of the Board of Trade. *Oban.*

Rates.

9. The undertakers may, from and after the passing of an Act confirming this Order, at the said existing pier and works, and from and after the date when the breastwork and sea wall and relative works authorized by this Order are completed, and a certificate of such completion is obtained in terms of The Harbours, Docks, and Piers Clauses Act, 1847, then also at such breastwork and sea wall and works, demand and receive in respect of the vessels, passengers, goods, matters, and things described in the Schedule hereunto annexed embarked, landed, loaded, or unloaded at or using the said pier, breastwork, sea wall or works, any sum not exceeding the rates in the said Schedule specified.

Customs officers exempt from rates.

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress on, into, along, through, and out of the pier and harbour by land, and with their vessels and otherwise, without payment.

Borrowing power.

11. The undertakers may borrow on mortgage or bond at interest such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of two thousand five hundred pounds, and they shall regularly keep down the interest accruing on the money so borrowed, and shall not allow such interest to accumulate, and shall repay the money borrowed within fifty years from the time of borrowing.

Application of receipts.

12. The rates received under this Order shall be applicable to the purposes and in the order following, and not otherwise:

(1.) In paying the expenses of the maintenance, management, and regulation of the existing pier and harbour, and new works authorized by this Order.

(2.) In paying the interest on any money borrowed under this Order, and any sum payable on account of the principal thereof.

(3.) To the proper use of the undertakers.

Meters and weighers.

13. The undertakers shall have the appointment of meters and weighers on and within the pier and harbour, breastwork, sea wall, and works.

Steam engines, diving bells, lighters, &c.

14. The undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Pilotage.

15. The undertakers shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, and the other Acts construed with and as part of the same, with all the powers by these Acts conferred on pilotage authorities and local authorities.

Oban.

Not to affect powers under the trust deed.

16. Nothing herein contained shall affect or prejudice the rights and powers of the undertakers under the trust disposition and settlement before mentioned of the said deceased Marquess of Breadalbane as to the management or disposal of the lands, pier, and harbours, and other properties at Oban which belonged to the said deceased Marquess, with their appurtenances, now vested or that may be vested in them as his trustees.

Short title.

17. This Order may be cited as The Oban Pier and Harbour Order, 1864.

Board of Trade, Whitehall,
Dated this 12th day of April 1864.

(Signed) JAMES BOOTH,
Secretary.

SCHEDULE to which this Order refers.

	s.	*d.*
Ale, beer, or porter, per hogshead	*0*	*6*
Animals. See Horse, &c.		
Asphalte, per ton	*0*	*6*
Bark in bulk or bag, per ton	*0*	*10*
Ballast, per ton	*0*	*1*
Beef, fresh or salt, per cwt.	*0*	*2*
Biscuit and bread, per cwt.	*0*	*2*
Bones, per ton	*0*	*6*
Books and stationery, per cwt.	*0*	*4*
Bone dust, per ton	*0*	*8*
Bottles, per gross	*0*	*2*
Boxes, full, per barrel bulk	*0*	*4*
Bricks, per 1,000	*0*	*8*
Butter, per cwt.	*0*	*2*
Carriages with four wheels, each	*0*	*8*
Carriages with two wheels, each	*0*	*6*
Cattle, each	*0*	*2*
Casks, empty, not being returned, each	*0*	*3*
Cement, per barrel	*0*	*2*
Cheese, per cwt.	*0*	*4*
Chimney cans, each	*0*	*2*
Clay, per ton	*0*	*6*
Cloth, haberdashery, per barrel bulk	*0*	*2*
Clover seed, per quarter	*0*	*2*
Coach or cart wheels, per pair	*0*	*2*
Coals, per ton	*0*	*3*
Copper and brass, per ton	*1*	*4*
Corks, per barrel bulk	*0*	*2*
Corn, per quarter	*0*	*2*
Cordage, per cwt.	*0*	*3*
Crystal and crockery, per barrel bulk	*0*	*2*
Dogs, each	*0*	*2*
Drugs, per barrel bulk	*0*	*2*
Dissolved bones, per ton	*0*	*8*

		s.	d.	*Oban.*
	Earthenware, per barrel bulk	0	2	
	Eggs, per barrel bulk	0	2	
	Felt, per cwt.	0	1	
5	Fish, fresh, salted, or dried, per cwt.	0	1	
	Flax, per cwt.	0	1	
	Flour, per sack or barrel	0	2	
	Fowls and ducks, live, per dozen	0	2	
	Freestone, per ton	0	2	
10	Fruit, per cwt.	0	1	
	Gates, each	0	2	
	Geese and turkeys, live, each	0	1	
	Glass, per barrel bulk	0	3	
	Grain, per quarter	0	2	
15	Grates or stoves, each	0	2	
	Gravel, per ton	0	1	
	Grease and greaves, per cwt.	0	1	
	Groceries, per barrel	0	3	
	Guano and artificial manures, per ton	0	8	
20	Gunpowder, per cwt.	0	1	
	Hardware, per barrel bulk	0	3	
	Hares and rabbits, per dozen or any less quantity	0	2	
	Hay, per ton	0	6	
	Hemp and cotton, unwrought, per ton	1	4	
25	Hides, each	0	0½	
	Household furniture, per barrel bulk	0	2	
	Hurdles, each	0	1	
	Herrings, cured, per barrel	0	3	
	Ditto, fresh, per cran	0	1	
30	Horses, asses, and mules, each	0	2	
	Husbandry utensils, per ton	1	4	
	Iron, all kinds, per ton	1	0	
	Kelp, per ton	0	8	
	Lambs, per score	0	3	
35	Lathwood, per bundle	0	0½	
	Lead of all kinds, zinc, per ton	1	4	
	Leather, per cwt.	0	1	
	Lime, per barrel	0	1	
	Limestone, per ton	0	3	
40	Machinery, per ton	1	4	
	Malt, per quarter	0	4	
	Manure, per ton	0	2	
	Masts and spars, each	1	6	
	Meal, per bag of 280 lbs. or barrel	0	2	
45	Meat, per cwt.	0	2	
	Milk, per three large pitchers	0	0½	
	Millstones, each	0	6	
	Oakum, per cwt.	0	1	
	Oil, per ten gallons	0	4	
50	Oil cake, per ton	0	8	
	Oysters, per bushel	0	2	
	Passengers' luggage not exceeding 4 barrel bulk		free	
	Ditto ditto all above ditto, per barrel bulk	0	3	
	Pease or beans, per quarter	0	2	
55	Peats, per ton	0	4	
	Pigs, each	0	0½	
	Ploughs.—See husbandry utensils.			
	Potatoes, per ton	0	6	
	Rape cakes, per ton	0	8	

Oban.

	s.	d.
Rags, per cwt.	0	1
Ropes, per cwt.	0	3
Ryegrass seeds, per quarter	0	2
Salt, per cwt.	0	0½
Sand, per ton	0	3
Seaware or wreck, per ton	0	1
Seeds, not enumerated, per cwt.	0	1
Sheep, per score	0	6
Skins, dried, per dozen	0	4
Slates, under Size, per 1,000	0	6
Do., sizeable, per 1,000	0	8
Do., over Size, per 1,000	1	0
Sodawater or lemonade, per gross	0	6
Spirits, per 56 gallons	0	8
Spokes and naves for wheels, per gang	0	2
Steel, per ton	1	4
Stones, per ton of 16 cubic feet	0	2
Stones, pavement, per ton of 16 cubic feet	0	4
Straw, per ton	0	4
Stucco, per barrel	0	4
Sugar, per hogshead	0	6
Tallow, per ton	1	4
Tar, pitch, or rosin, per barrel	0	2
Tea, per cwt.	0	6
Tiles or pipes, per 1,000	0	8
Turpentine, per hogshead	0	8
Timber, unwrought, of all kinds, per load of 50 cubic feet	0	8
Tin of all kinds, per ton	1	4
Turnips, per ton	0	6
Tobacco, per ton	2	6
Vitriol, per carboy	0	2
Whisky, per 56 gallons	0	8
Wine in cask, per hogshead	1	0
Do. in bottle, per dozen	0	1
Wool, per stone	0	1
Yarn, per cwt.	0	1
All other unenumerated articles to pay at landing or shipping—		
If by measurement, per barrel bulk	0	2
If by weight, per ton	1	4

Articles which can be measured to pay by barrel bulk; all others by weight.

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding two and a half hundredweight, to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two and a half hundredweight, then two and a half hundredweight to be rated as a barrel bulk.

RATES ON VESSELS USING THE PIER, SEA WALL, OR BREASTWORK.

Every vessel, other than open or undecked vessels, using the pier, sea wall, or breastwork, or discharging or shipping goods within the harbour, shall pay *2d.* per ton burden.

Every undecked vessel, *1d.* each.

Bonâ fide pleasure boats landing or embarking passengers at the boat slip on the breastwork, free.

RATES ON PASSENGERS.

For every person, excepting as under mentioned, landing from or embarking in any vessel at the pier, sea wall, or breastwork, *2d.*

For every reaper and every person in charge of goods paying rates, ½*d.*

RATES FOR THE USE OF SHEDS, CRANES, AND WEIGHING MACHINES.

Sheds.

For each ton of goods of eight barrels bulk, or for each ton of goods of twenty hundredweights, which shall remain in any shed or on the pier, sea wall, or breastwork for a longer time than 48 hours, the sum of *4d.*; and the sum of *2d.* per ton for each day during which such goods shall remain after the first 48 hours.

Cranes.

	s.	*d.*
All goods or packages not exceeding one ton	*0*	*3*
Exceeding one ton and not exceeding two tons	*0*	*4*
Exceeding two tons and not exceeding three tons	*0*	*6*
Exceeding three tons and not exceeding four tons	*0*	*8*
Exceeding four tons and not exceeding five tons	*0*	*10*
Exceeding five tons and not exceeding six tons	*1*	*0*
Exceeding six tons and not exceeding seven tons	*1*	*2*
Exceeding seven tons and not exceeding eight tons	*1*	*4*
Exceeding eight tons and not exceeding nine tons	*1*	*8*
Exceeding nine tons and not exceeding ten tons	*2*	*0*
Exceeding ten tons	*3*	*0*

Weighing Machines.

For goods weighed, *1d.* for each ton or part of a ton.

Pier and Harbour Orders Confirmation.

A

B I L L

For confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Brighton, Eastbourne, Sandown, Walton-on-the-Naze, Clevedon, Rhyl, Bray, Kircubbin, Walton (Suffolk), Holywood, Exe Bight, Lytham, Ardglass, Filey, Greenock, Carlingford Lough, Wexford, Torquay, and Oban.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed* 4 *May* 1864.

[Bill 91.]

Under 17 *oz.*

Pier and Harbour Orders Confirmation Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clause

Preamble.

1. Confirmation of Orders in Schedule.
2. Amendment of Order as to Carlingford Lough.—Clause A.
3. Carlingford Lough amended Order to be valid and effectual.—Clause B.
4. Rates on Passengers not to be levied at the Harbour of Oban.—Clause C.
5. Short Title.

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A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Brighton, Eastbourne, Sandown, Walton-on-the-Naze, Clevedon, Rhyl, Bray, Kircubbin, Walton (Suffolk), Holywood, Exe Bight, Lytham, Ardglass, Filey, Greenock, Carlingford Lough, Wexford, Torquay, and Oban.

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act, and set out in the Schedule hereto, with the Amendments herein-after mentioned, relating to the Carlingford Lough and Oban Provisional Orders, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Confirmation of Orders in Schedule.

1. The several Provisional Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof, in Manner and Form as they are set out in the said Schedule, shall, from and after the passing of this Act, have full Validity and Force, except as herein-after mentioned.

Clause A. Amendment of Order as to Carlingford Lough.

2. With regard to the Carlingford Lough Provisional Order, the Clauses numbered 3 and 13 of that Order shall be deemed to be and the same are by this Act expunged from the same Order.

The Clause following shall be inserted in the same Order instead of Clause 3 thereof:

Appointment of the several Commissioners.

The Appointment of the Commissioners shall be regulated as follows:

(1.) The following Four Persons are hereby appointed Commissioners, namely, William Forster, Richard Allen Minnitt, Edward Tipping, and Richard Mayne; and whenever a Vacancy is caused by Death, Resignation, or otherwise in the Office of any One of those Four Commissioners, the Commissioners shall by a Special Order appoint another Person to fill the Vacancy, and so toties quoties:

(2.) Two of the Commissioners shall be appointed by the Newry Navigation Company; and whenever a Vacancy is caused by Death, Resignation, or otherwise in the Office of either of those Two Commissioners, another Person shall be appointed by that Company to fill the Vacancy, and so toties quoties:

(3.) Two of the Commissioners shall be appointed by the Newry Town Commissioners; and whenever a Vacancy is caused by Death, Resignation, or otherwise in the Office of either of those Two Commissioners, another Person shall be appointed by the Newry Town Commissioners to fill the Vacancy, and so toties quoties:

(4.) Two of the Commissioners shall be appointed by the Newry and Greenore Railway Company; and whenever a Vacancy is caused by Death, Resignation, or otherwise in the Office of either of those Two Companies, another Person shall be appointed by that Company to fill the Vacancy, and so toties quoties:

(5.) Two of the Commissioners shall be appointed by the Dundalk and Greenore Railway Company; and whenever a Vacancy is caused by Death, Resignation, or otherwise in the Office

Office of either of those Two Commissioners, another Person shall be appointed by that Company to fill the Vacancy, and so toties quoties :

(6.) The Board of Trade may, if they think fit, at any Time after the passing of an Act confirming this Order, appoint Two Persons to be Commissioners; and whenever a Vacancy is caused by Death, Resignation, or otherwise in the Office of any One of those Two Commissioners, may, if they think fit, appoint another Person to fill the Vacancy, and so toties quoties.

The following Clause shall be inserted in the same Order instead of Clause 13 thereof:

Commencement of Rates and Cesses thereof in certain Events.

As soon as the Commissioners are fully constituted and incorporated, they may begin and they may henceforth continue to demand and receive the Rates authorized by this Order, subject nevertheless to the following Provisions :

(1.) If within Two Years from the passing of an Act confirming this Order the Channel or Cut to be made in the Bar or at the Entrance or Mouth of Carlingford Lough is not made of the Depth of Fourteen Feet at least, then from the Expiration of those Two Years the Commissioners shall not demand or receive any Rates under this Order until the Channel or Cut is made of the Depth of Fourteen Feet at least; and the Commissioners shall not demand or receive any Rates under this Order in respect of Vessels delivering or loading Cargo at the Town or the River of Newry, North of Old Narrow Water Castle, until the Channel or Cut is made of the Depth of Fourteen Feet at least :

(2.) If within Five Years from the passing of an Act confirming this Order the Channel or Cut aforesaid is not made of the full Depth proposed as shown on the deposited Plans and Sections, then from and after the Expiration of those Five Years the Commissioners shall not demand or receive Rates to a greater Amount than the Sum of Two thousand five hundred Pounds per Annum under this Order, until the Channel or Cut is completed of the full Depth aforesaid; and if any Year before such Completion the total Amount of Rates under this Order shall exceed Two thousand five hundred Pounds per Annum, the Rates receivable under this Order shall from Time to Time be revised by the Commissioners, so that the total Amount to be received therefrom shall as near as may be amount to but not exceed the said Sum of Two thousand

five hundred Pounds per Annum, until the Channel or Cut shall be completed to the full Depth aforesaid:

(3.) The Board of Trade, nevertheless, if it appears to them expedient, may from Time to Time extend the said Period of Two Years for any Time or Times not exceeding in the whole One Year, and may from Time to Time extend the said Period of Five Years for any Time or Times not exceeding in the whole Two Years:

(4.) The Chairman of Quarter Sessions of the County of Down, on Proof being adduced to him that the Channel or Cut aforesaid is made of the Depth of Fourteen Feet, or of the full Depth proposed as aforesaid, (as the Case may be,) shall sign and give to the Commissioners a Certificate thereof, which Certificate shall be conclusive Evidence of the Matters therein certified; provided that the said Chairman shall have Power to hear Parties in opposition to the granting of such Certificate.

The following Clause shall be added to the same Provisional Order after Clause 23 thereof:

Provision for Appointment of Joint Committee to regulate Bar Pilots.

Within Three Months after the passing of an Act confirming this Order the Commissioners shall appoint, in Writing under the Hand of their Chairman, Three Persons from such Commissioners, and the Directors of the Newry Navigation Company shall within the same Period in like Manner appoint Three Pe sons from such Directors, and the said Six Persons shall form a Committee for the Purpose of appointing, dismissing, and regulating the Pilots employed in piloting Vessels into and out of the Entrance of Carlingford Lough, commonly called "Bar Pilots;" and the said Committee shall be subject to the following Provisions:

(1.) The Commissioners and the Newry Navigation Company respectively may from Time to Time, at their Pleasure, remove the Members of the Committee so nominated by them respectively, and may in like Manner respectively fill up the Vacancies occurring among such Members by Removal, Death, or Resignation; and no Act done by the Committee shall be invalidated because of any alleged or real Want of Authority on the Part of the said Chairman to sign such Appointment:

(2.) The Committee shall hold its Meetings at Newry, and Four shall be a Quorum thereof; and the Chairman of each Meeting shall be elected alternately from the Members representing the Commissioners and the said Company respectively, if any such Member be present at the Commencement of such Meeting; and the Proceedings of the Committee

Committee shall be determined by a Majority of the Members present, the Chairman having a Casting Vote in case of Equality.

The following Addition shall be made to the Exemptions contained in the Schedule to the same Order:

All Sailing Vessels of and under One hundred and fifty Tons, and all Steam Vessels of and under Two hundred Tons, delivering or loading Cargo at the Town or the River of Newry North of Old Narrow Water Castle.

CLAUSE B. Carlingford Lough amended Order to be valid and effectual.

3. And the said Carlingford Lough Provisional Order, with the Omissions, Alterations, and Additions thereto in this Act mentioned, shall be valid and effectual, and the same Omissions, Alterations, and Additions respectively shall be read and construed as if they formed Part of the same Order respectively, as made by the Board of Trade, and as such are hereby confirmed.

CLAUSE C. Rates on Passengers not to be levied at the Harbour of Oban.

4. With respect to The Oban Pier and Harbour Order, 1864, set out in the Schedule to this Act annexed, and notwithstanding anything contrary to this Enactment contained in the said Order or the Schedule thereto annexed, or the Acts therein recited, or this Act, be it enacted, That it shall not be lawful for the Undertakers under the said Order to demand or receive any Rates or Charges on or in respect of any Passenger, Reaper, or other Person landing from or embarking in any Vessel at the existing Pier and Works, or the proposed Breastwork and Sea Wall and other Works at the Harbour of Oban mentioned in the said Order, and the said Pier, Breastwork, Sea Wall, and other Works may be used free from Rates and Charges by all Passengers, Reapers, and other Persons landing from or embarking in any Vessel at the said Harbour.

Short Title.

5. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1864.

The SCHEDULE of Provisional Orders.

1. BRIGHTON.—Construction of a Pier.
2. EASTBOURNE.—Construction of a Pier.
3. SANDOWN.—Construction of a Pier.
4. WALTON-ON-THE-NAZE.—Construction of a Pier.
5. CLEVEDON.—Construction of a Pier.
6. RHYL.—Construction of a Pier.
7. BRAY.—Construction of additional Works.
8. KIRCUBBIN.—Improvement of Harbour.
9. WALTON (Suffolk).—Construction of a Pier.
10. HOLYWOOD.—Construction of a Pier and Quay.
11. EXE BIGHT.—Construction of a Pier.
12. LYTHAM.—Construction of a Pier.
13. ARDGLASS.—Improvement of Harbour.
14. FILEY.—Construction of a Harbour.
15. GREENOCK.—Extension and Improvement of Harbour.
16. CARLINGFORD LOUGH.—Improvement of Harbour.
17. WEXFORD.—Improvement of Entrance to Harbour.
18. TORQUAY.—Improvement of Harbour.
19. OBAN.—Construction of further Works.

BRIGHTON.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Brighton, in the County of Sussex.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Brighton West Pier Company (Limited) made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Brighton, in the county of Sussex, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls:

And whereas the estimated expenditure on the proposed works is twenty-two thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the Purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The Brighton West Pier Company (Limited), herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands and in the lines, and according to the levels, and within the limits of deviation shown

Brighton.

shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier on iron piles commencing at a point on the esplanade opposite Regency Square, in the town of Brighton, in the parish of Brighton, in the county of Sussex, and extending seaward in a southerly direction one thousand one hundred and fifty feet or thereabouts.

Power to levy rates according to Schedule to this Order.

6. The Company may demand and receive in respect of the persons, vessels, and things in the Schedule hereto described any sums not exceeding the rates in that Schedule specified.

Restriction on use of pier.

7. Nothing in this Order shall entitle vessels or boats to ship or unship at the pier any sheep, cattle, or merchandise, or any things other than those in the Schedule hereto described.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any particular person.

Pass-tickets not to be transferable.

9. Any pass-ticket from time to time granted by the Company shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention to this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence, upon a summary conviction for the same before a Justice or Justices of the Peace, be liable to a penalty not exceeding twenty shillings.

Custom House Officers exempt from rates.

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels and otherwise without payment.

Lands for extraordinary purposes.

11. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Short title.

12. This Order may be cited as The Brighton West Pier Order, 1864.

Board of Trade, Whitehall.
Dated this 5th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - - -	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - - - - - - - -	0	0	4

	£	s.	d.
For every bath or sedan chair taken on the pier, for each and every time, any sum not exceeding - - - - - -	0	0	6
For every perambulator - - - - - - -	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Brighton, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - - -	1	0	0

Brighton.

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs. - - - - - - -	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons - - per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons „	0	0	6
For every vessel of the burden of 50 tons and under 100 tons „	0	0	8
For every vessel of the burden of 100 tons and under 150 tons „	0	0	10
For every vessel of the burden of 150 tons and upwards - „	0	1	0
For every lighter for each trip - - - - „	0	0	2

IV.—Rates for laying Water Mains on Pier.

Water - - - - - - per ton	0	0	6

EASTBOURNE.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Eastbourne, in the County of Sussex.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Eastbourne Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Eastbourne, in the county of Sussex, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls : *Preamble.*

And whereas the estimated expenditure on the proposed works is twelve thousand pounds and no more :

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit :

Eastbourne.

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The Eastbourne Pier Company (Limited), herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier on iron piles commencing at a point on the esplanade opposite Devonshire Place, in the town of Eastbourne, in the parish of Eastbourne, in the county of Sussex, and extending seaward in a south-easterly direction one thousand feet or thereabouts.

Power to levy rates according to Schedule to this Order.

6. The Company may demand and receive in respect of the persons, vessels, and things in the Schedule hereto described any sums not exceeding the rates in that Schedule specified.

Restriction on use of pier.

7. Nothing in this Order shall entitle vessels or boats to ship or unship at the pier any sheep, cattle, or merchandise, or any things other than those in the Schedule hereto described.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any particular person.

Pass-tickets not to be transferable.

9. Any pass-ticket from time to time granted by the Company shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence, upon a summary conviction

conviction for the same before a Justice or Justices of the Peace, be liable to a penalty not exceeding twenty shillings. *Eastbourne.*

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels and otherwise, without payment. Custom House Officers exempt from rates.

11. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres. Land for extraordinary purposes.

12. This Order may be cited as The Eastbourne Pier Order, 1864. Short Title.

Board of Trade, Whitehall.
Dated this 5th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - -	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - - - - - - - -	0	0	2
For every bath or sedan chair taken on the pier, for each and every time, any sum not exceeding - - - - -	0	0	6
For every perambulator - - - - -	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Eastbourne, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	1	0	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs., and not exceeding 112 lbs. - - - - - - -	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons - - per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons „	0	0	6
For every vessel of the burden of 50 tons and under 100 tons „	0	0	8
For every vessel of the burden of 100 tons and under 150 tons „	0	0	10
For every vessel of the burden of 150 tons and upwards - „	0	1	0
For every lighter for each trip - - - - - „	0	0	2

IV.—Rates for laying Water Mains on Pier.

Water - - - - - - per ton	0	0	6

SANDOWN.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Sandown, in the Isle of Wight.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Sandown Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Sandown, in the parish of Brading, in the county of Southampton, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for levying tolls, rates, and duties, not exceeding those in the Schedule hereto annexed, and for the incorporation of a Company:

And whereas the estimated expenditure on the proposed work is fifteen thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

The Company.

Incorporation of Company.

1. The following persons, namely, Thomas Willis Fleming, Robert Rawlins, Francis Henry Atherley, Daniel Climie, and all other persons and corporations who have subscribed or who may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of The Sandown Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other

other property for the purposes of the proposed works, but subject to the restrictions of this Order.

Undertakers.

2. The Sandown Pier Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Companies Clauses Acts.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be the sum of fifteen thousand pounds, in one thousand five hundred shares of ten pounds each.

Calls.

5. No call shall exceed one pound per share, or be made payable within three months of any previous call.

Borrowing powers.

6. The Company may from time to time, with the sanction of a general meeting of the Company specially convened for the purpose, borrow on mortgage or bond at interest, for any time not exceeding five years, such sums of money as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of fifteen thousand pounds is subscribed for or taken, and until one half thereof is paid up, and until the Company prove to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same.

Receiver.

7. The mortgagees of the Company may enforce the payment of arrears of interest, or arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be two thousand pounds.

Power to create preference shares.

8. The Company may, by the resolution of a general meeting specially convened, such resolution being adopted by not less than three fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion, not exceeding one third part, of the shares then subscribed for or taken, shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company.

No interest or dividend on calls.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purpose of Order.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First general meeting.

12. The first general meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order at such time and place as the directors determine.

Number of directors.

13. The number of the directors shall not be more than six or less than three.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. The four persons herein-before named may, by writing under their hands, nominate the persons who shall, either conjointly with themselves or any of them, or otherwise, be the first directors of the Company, and the directors so nominated shall continue in office until the first general meeting of the Company.

Qualification.

16. The qualification of a director elected by the shareholders or nominated as aforesaid shall be the holding in his own right of not less than twenty shares in the capital of the Company.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors in such manner as they determine.

Lands.

Power to take specified lands by arrangements.

18. For the purpose of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the land shown on the plans as intended to be taken for the purposes of the proposed pier and works.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

20. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

21. The works authorized by this Order comprise the following:

A pier, with all proper works, approaches, and other conveniences connected therewith, situate wholly in the parish of Brading and county of Southampton, commencing with a junction with the turnpike road leading from Shanklyn to Ryde, about ninety yards north-east of the King's Head hotel at Sandown, and running out into the sea in a south-easterly direction, and terminating one thousand five hundred feet or thereabouts from high-water mark.

Rates.

Power to take rates in schedules.

22. The Company may demand and receive in respect of the vessels, goods, persons, and things in the schedule hereto described any rates not exceeding the rates in that schedule specified.

Exemptions of Custom House officers from rates.

23. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, and out of the pier and works by land, and with their vessels and otherwise, without payment.

24. The

24. The rates received under this Order shall be applicable for the purposes in the order following: Application of rates.

1. To the maintenance of the works authorized by this Order:
2. In payment, to an extent not exceeding one fifteenth part of such rates, of any rent or rent-charge payable in respect of any lands acquired by the Company under this Order:
3. In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal money:
4. To the use and for the purposes of the Company.

General Provisions.

25. The Company may provide such steam engines, steam vessels, piling engines, diving bells, barges, boats, and other machinery and vessels as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable. Company may provide steam engines.

26. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Any such pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act. Company may contract with persons for use of pier.

27. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by the Order. Part V. of 24 & 25 Vict. c. 47. to apply.

28. This Order may be cited as The Sandown Pier Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 10th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons, and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

Sandown.

II.—Rates on Goods shipped or unshipped at the Pier.

	s.	*d.*
Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
„ per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
„ per barrel	0	6
Biscuit or Bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and Lard, per barrel	0	6
„ per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding 1 cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates) per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	2
„ (fresh, not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
„ per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household) per 5 cubic feet	0	4
Glass, per large crate	1	6
„ per small crate or case	1	0
„ per box	0	6

		s.	*d.*	*Sandown.*
	Grains and seeds, per quarter	0	6	
	Groceries not enumerated, per cwt.	0	6	
	Guano, per ton	1	6	
5	Gunpowder, per barrel or keg	0	4	
	Hams, bacon, or tongues, per cwt.	0	6	
	Hardware, per ton	2	6	
	Hares and rabbits, per dozen	0	4	
	Hay, per ton	1	6	
10	„ per truss	0	2	
	Hemp, per ton	2	0	
	Herrings (fresh), per 1,000	0	3	
	„ (cured), per barrel	0	3	
	Hides:			
15	Ox, cow, or horse (wet or dry), each	0	2	
	Iron:			
	Bar, bolt, rod, and shots, per ton	1	6	
	Pig and old, per ton	1	0	
	Manufactured, per ton	2	6	
20	Pots, each	0	1	
	Kelp, per ton	2	0	
	Lead, per ton	2	6	
	Leather (tanned and dressed), per cwt.	0	3	
	Lime, per 28 bushels	1	4	
25	Limestone, per ton	1	0	
	Machinery, per ton	2	6	
	Manure (not enumerated), per ton	1	0	
	Masts and spars, 10 inches in diameter and upwards, each	4	6	
	„ under 10 inches, each	3	0	
30	Meat (fresh), per cwt.	0	6	
	Milk, per gallon	0	0½	
	Musical instruments, per cubic foot	0	1	
	Nets, per 5 cubic feet	0	4	
	Oakum, per cwt.	0	2	
35	Oils, per ton	2	0	
	Oilcake, per ton	2	0	
	Oranges and lemons, per box	0	6	
	Ores, per ton	1	0	
	Oysters, per bushel	0	3	
40	Paint, per cwt.	0	4	
	Pitch and tar, per barrel	0	6	
	Potatoes, per cwt.	0	2	
	Poultry and game, per dozen	0	4	
	Rags and old rope, per ton	2	0	
45	Sails, per cwt.	0	6	
	Salt, per cwt.	0	1	
	Sand, per ton	1	0	
	Shrimp baskets, each	0	2	
	Skins (calf, goat, sheep, lamb, or dog), per dozen	0	6	
50	Slates, per ton of 24 cubic feet	2	0	
	Spirits (foreign and British), per hogshead	1	0	
	„ „ „ per gallon	0	1	
	Stones, per ton of 16 cubic feet	1	6	
	Steel, per ton	3	0	
55	Sugar, per cwt.	0	3	
	Tallow, soap, and candles, per cwt.	0	3	
	Tea, per chest	1	0	
	Tiles, per 1,000	1	6	
	Tin and zinc, per ton	3	0	

Sandown.

	s.	d.
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
„ (bottled), per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, of fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	5	0
„ $2\frac{1}{2}$ inches in diameter and under, per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
„ above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
„ exceeding 2 feet in length, per 120	3	0
Treenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Cranage.*

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2nd. Weighing Machines.

	s.	d.
For goods weighed, for each ton or part of a ton - - -		

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwts., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package - - - 0 2

IV.—Rates for laying Water Mains on Pier.

Water, per ton - - - - - - - - -		0	6

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding - - - - - - -	0	0	2
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - -	0	0	6
For every perambulator - - - - - -	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Sandown, and using the said pier for the purpose of going into or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - -	1	0	0

VI.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - - -	0	0	2
Over 28 lbs., and not exceeding 84 lbs. - - - - -	0	0	4
Over 84 lbs., and not exceeding 112 lbs. - - - - -	0	0	5
Over 112 lbs., and not exceeding 140 lbs. - - - - -	0	0	6
Over 140 lbs., and not exceeding 196 lbs. - - - -	0	0	7
Over 196 lbs., and not exceeding 2 cwts. - - - -	0	0	8
And for every cwt. beyond - - -	0	0	4
And for every 20 lbs. weight in addition - - - -	0	0	1

WALTON-ON-THE-NAZE.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Walton-on-the-Naze in the County of Essex.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Walton-on-the-Naze Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Walton-on-the-Naze in the parish of Walton in the county of Essex, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for levying tolls, rates, and duties not exceeding those in the Schedule hereto annexed, and for the incorporation of a company for the objects aforesaid:

And whereas the estimated expenditure on the proposed work is ten thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order the following provisions shall take effect and be in force:

Walton-on-the-Naze Pier Company.

Incorporation of Company.

1. The following persons, namely, Newson Garrett, Edward Chapman, Peter Schuyler Bruff, and all other persons and corporations who have subscribed or who may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a company for the purpose of making and maintaining the

the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of The Walton-on-the-Naze Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order. *Walton-on-the-Naze.*

2. The Walton-on-the-Naze Pier Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order. Undertakers.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order. Incorporation of Companies Clauses Acts.

4. The capital of the Company shall be the sum of ten thousand pounds, in one thousand shares of ten pounds each. Capital.

5. No call shall exceed two pounds per share, or be made payable within two months of any previous call. Calls.

6. The Company may, with the sanction of a general meeting of the Company specially convened for the purpose, borrow on mortgage or bond at interest, from time to time, not exceeding five years, such sums of money as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of ten thousand pounds is subscribed for or taken, and until one half thereof is paid up, and until the Company prove to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same (of which matters such certificate shall be sufficient evidence). Borrowing powers.

7. The mortgagees of the Company may enforce the payment of arrears of interest, or the arrears of principal and interest, due on their respective mortgages by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds. Receiver.

8. The Company may, by the resolution of a general meeting specially convened, such resolution being adopted by not less than three fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion, not exceeding one third part, of the shares then subscribed for or taken shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company. Power to create preference shares.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposit under Standing Orders, &c.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order. Money to be applied to purpose of Order.

Walton-on-the-Naze.

First general meeting.

12. The first general meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order at such time and place as the directors determine.

Number of directors.

13. The number of the directors shall not be more than five nor less than three.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. The three persons herein-before named may, by writing under their hands, nominate the persons who shall, either conjointly with themselves, or any of them, or otherwise, be the first directors of the Company, and the directors so nominated shall continue in office until the first general meeting of the Company.

Qualification.

16. The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of not less than twenty shares in the capital of the Company.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors in such manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration divisible among the directors shall be at the rate of twenty pounds per annum.

Lands.

Power to take specified lands by arrangements.

18. For the purpose of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any of the land shown on the plans as intended to be taken for the purposes of the proposed pier and works.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

20. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

21. The works authorized by this Order comprise the following:

A pier, with all proper works, approaches, tramways, and other conveniences connected therewith, situate wholly in the parish of Walton and county of Essex, commencing at or near the junction of the South Cliff Slope roads leading to the sea shore, and about forty yards northward of the Clifton Hotel at Walton aforesaid, and running out into the sea in an easterly direction, and terminating three hundred and fifty yards or thereabouts from high-water mark:

Provided nevertheless, that the said pier beyond the distance of one hundred yards from high-water mark at spring tides shall not be a solid embankment or pier, but an open work viaduct, with or without a floating pier or landing stage.

Rates.

22. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described any rates not exceeding the rates in that Schedule specified. Power to take rates in Schedule.

23. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, along, from, and out of the pier and works by land, and with their vessels and otherwise, without payment. Exemptions of Custom House Officers from rates.

24. The rates received under this Order shall be applicable for the purposes and in the order following: Application of rates.

1. To the maintenance of the works authorized by this Order:
2. In payment, to an extent not exceeding one fifteenth part of such rates, of any rent or rentcharge payable in respect of any lands acquired by the Company under this Order:
3. In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money:
4. To the use and for the purposes of the Company.

General Provisions.

25. The Company may provide such steam engines, steam vessels, piling engines, diving bells, barges, boats, and other machinery and vessels as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable. Company may provide steam engines, &c.

26. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act. Company may contract with persons for use of pier.

27. Subject to the provisions of this Order, the Company may from time to time dredge, deepen, and scour that portion of the foreshore which lies within the limits of this Order, and may place and maintain moorings, buoys, dolphins, capstans, and other necessary works for warping or otherwise assisting vessels coming to or leaving the pier, or lying outside or along the same, and may do, execute, and perform all such lawful acts and things either in or upon the lands or works belonging to them, or within the limits of this Order, as they may think necessary or proper for preventing and removing obstructions or impediments thereon or therein, or for preserving or facilitating the access to, or increasing the convenience or security of the pier, and generally for preserving the navigation within the limits of this Order; provided always, that any materials so dredged shall be disposed of in such manner as the Board of Trade may from time to time direct. Power to dredge, scour, &c.

Walton-on-the-Naze.

Limits of Order.

28. The limits of this Order shall include the pier and the space lying between the pier and the shore and a line running parallel with the pier at a distance of three hundred yards from the north side of the pier, and a straight line drawn north and south at a distance of three hundred yards from the east end of the pier, and a line running parallel with the first-mentioned line at a distance of three hundred yards from the south side of the pier.

Part V. of 24 & 25 Vict. c. 47. to apply.

29. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by the Order.

Short title.

30. This Order may be cited as The Walton-on-the-Naze Pier Order, 1864.

Board of Trade, Whitehall.
Dated this 10th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
„ „ per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
„ per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	2	0
Butter and lard, per barrel	0	6
„ per firkin	0	3
Cables, iron or hempen, per ton	3	0

Walton-on-the-Naze.

		s.	d.
	Canvass, per bolt	0	1
	Casks (empty), not being returned packages, per puncheon	0	3
	Other casks in proportion.		
	Cattle:		
	Bulls, cows, and oxen, each	3	0
	Calves, each	1	0
	Horses, each	4	0
	Pigs, each	0	6
	Sheep, each	1	0
	Chalk, per ton	1	6
	Cheese, per cwt.	0	4
	Chimney pots, each	0	3
	Clay, per ton	1	0
	Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6
	Carriages:		
	Chaises and other four-wheeled carriages, each	7	6
	Gigs, carts, and other two-wheeled carriages, each	5	0
	Hand-carts and perambulators, each	1	0
	Coals, per ton	1	0
	Copper, per ton	3	0
	Cordage, per cwt.	0	3
	Cork, per cwt.	0	6
	Corpses, each	20	0
	Crystal, per box or package	0	6
	Dogs, each	0	6
	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
	Eggs, per box	0	3
	Fish (dried and salted), per cwt.	0	2
	„ (fresh not enumerated), per cwt.	0	2
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
	„ „ per barrel	0	3
	Fruit, per bushel or sieve	0	4
	Furniture (household), per 5 cubic feet	0	4
	Glass, per large crate	1	6
	„ per small crate or case	1	0
	„ per box	0	6
	Grains and seeds, per quarter	0	6
	Groceries (not enumerated), per quarter	0	6
	Guano, per ton	1	6
	Gunpowder, per barrel or keg	0	6
	Hams, bacon, or tongues, per cwt.	0	4
	Hardware, per ton	2	6
	Hares and rabbits, per dozen	0	4
	Hay, per ton	1	6
	„ per truss	0	2
	Hemp, per ton	2	0
	Herrings (fresh), per 1,000	0	3
	„ (cured), per barrel	0	3
	Hides:		
	Ox, cow, or horse (wet or dry), each	0	2
	Iron:		
	Bar, bolt, rod, and shots, per ton	1	6
	Pig and old, per ton	1	0
	Manufactured, per ton	2	6
	Pots, each	0	1

Walton-on-the-Naze.

	s.	d.
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
„ „ under 10 inches, each	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cubic foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins (calf, goat, sheep, lamb, or dog), per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
„ „ „ per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
„ bottled, per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, of 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0

	s.	d.
Wood—*continued.*		
Spars, under 22 feet in length, above 2½, and under 4 inches in diameter, per 120	5	0
„ 2½ inches in diameter and under, per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
„ above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
„ exceeding 2 feet in length, per 120	3	0
Treenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wood, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Cranage.

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwts., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package 0 2

IV.—Rates for laying Water-Mains on Pier.

Water, per ton	0	6

Walton-on-the-Naze.

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land at the pier from, or embark from it to, any steam vessel, ship, packet, or passage boat, or other sea-going vessel, for each and every time any sum not exceeding	0	0	6
For every person who shall land on the pier from, or embark from it to, any small boat or yacht, not being sea-going vessels, not exceeding	0	0	3
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2
For every bath or sedan-chair taken on the pier, for each and every time any sum not exceeding	0		6
For every perambulator	0		2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Walton-on-the-Naze, and using the said pier for the purpose of going into or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	2	
Over 28 lbs., and not exceeding 84 lbs.	0	4	
Over 84 lbs., and not exceeding 112 lbs.	0	5	
Over 112 lbs., and not exceeding 140 lbs.	0	6	
Over 140 lbs., and not exceeding 196 lbs.	0	7	
Over 196 lbs., and not exceeding 2 cwts.	0	8	
And for every cwt. beyond	0	4	
And for every 20 lbs. weight in addition	0	1	

CLEVEDON.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Clevedon in the County of Somerset.

Preamble. Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Clevedon Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Clevedon in the county of Somerset, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for levying tolls, rates, and duties, not exceeding those in the Schedule hereto annexed, and for the incorporation of a Company for the carrying out the objects aforesaid:

And

Clevedon.

And whereas the estimated expenditure on the proposed work is twenty thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Clevedon Pier Company.

Incorporation of Company.

1. The following persons, namely, Charles Lempriere, John Scott Smith, George Greenway Hunt, and all other persons and corporations who have subscribed or who may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of The Clevedon Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Clevedon Pier Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Companies Clauses Act.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be the sum of twenty thousand pounds, in two thousand shares of ten pounds each.

Calls.

5. No call shall exceed three pounds per share or be made payable within two months of any previous call.

Borrowing powers.

6. The Company may, from time to time, with the sanction of a general meeting of the Company specially convened for the purpose, borrow on mortgage or bond at interest, for any time not exceeding five years, such sums of money as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of twenty thousand pounds is subscribed for or taken, and until one half thereof is paid up, and until the Company prove to the Justice who is to certify under the Companies Clauses

Clevedon.

Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same.

Receiver.

7. The mortgagees of the Company may enforce the payment of arrears of interest, or the arrears of principal and interest, due on their respective mortgages by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds.

Power to create preference shares.

8. The Company may, by the resolution of a general meeting specially convened, such resolution being adopted by not less than three fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion, not exceeding one third part, of the shares then subscribed for or taken shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company.

No interest or dividend out of calls.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purpose of Order.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First General Meeting.

12. The first general meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order at such time and place as the directors determine.

Number of directors.

13. The number of the directors shall not be more than five or less than three.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. The three persons herein-before named may, by writing under their hands, nominate the persons who shall, either conjointly with themselves, or any of them, or otherwise, be the first directors of the Company, and the directors so nominated shall continue in office until the first general meeting of the Company.

Qualification.

16. The qualification of a director elected by the shareholders or nominated as aforesaid shall be the holding in his own right of not less than twenty shares in the capital of the Company.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors in such a manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration divisible among the directors shall be at the rate of fifty pounds per annum.

Lands.

Power to take specified lands by agreement.

18. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of

of the lands shown on the plans as intended to be taken for the purposes of the proposed pier and works.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Recovery of rentcharge by means of receiver.

20. Where under the last-mentioned Acts a rentcharge is reserved on a sale of lands to the Company, and it is agreed between the vendor and the Company that the same shall be recoverable by means of a receiver, the person to whom the rentcharge is payable may, without prejudice to any other remedy, obtain the appointment of a receiver in like manner, and with the like effect in all respects, as if he were a mortgagee of the Company empowered to enforce payment of arrears of interest due on his mortgage by the appointment of a receiver.

Works.

Power to make works.

21. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

22. The works authorized by this Order comprise the following:

A pier, with all proper works, tramways, approaches, and other conveniences connected therewith, situate wholly in the parish of Clevedon and county of Somerset, commencing at or near the south-western corner of the wall surrounding the Rock House public house, near the point or place on the shore of the Bristol Channel called Rock House Point in the said parish, and running out into the sea in a west-north-westerly direction, and terminating twelve hundred feet or thereabouts from the said Rock House Point.

Rates.

Power to take rates in schedules.

23. The Company may demand and receive, over and above any rates, tolls, and dues which may be levied and taken by the mayor, aldermen, and burgesses of the city of Bristol, in respect of the vessels, goods, and things in the Schedule hereto described, any rates not exceeding the rates in that Schedule specified.

Exemption of Custom House officers from rates.

24. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, through, and out of the pier and works by land, and with their vessels and otherwise, without payment.

Application of rates.

25. The rates received under this Order shall be applicable for the purposes and in the order following:

1. To the maintenance of the works authorized by this Order:
2. In payment, to an extent not exceeding one fifteenth part of such rates, of any rent or rentcharge payable in respect of any lands acquired by the Company under this Order:
3. In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money:
4. In payment of dividend on any preference shares created under this Order:
5. To the use and for the purposes of the Company.

General Provisions.

Company may provide steam engines, &c.

26. The Company may provide such steam engines, steam vessels, piling engines, diving bells, barges, boats, and other machinery and vessels as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable.

Company may contract with persons for use of pier.

27. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period, not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass tickets, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act.

Part V. of 24 & 25 Vict. c. 47. to apply.

28. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by the Order.

Saving rights of corporation of Bristol.

29. Nothing in this Order shall prejudice, diminish, alter, or take away any right, toll, rate, or duty belonging to or vested in the mayor, aldermen, and burgesses of the city of Bristol, within the limits of the port of Bristol.

Short title.

30. This Order may be cited as The Clevedon Pier Order, 1864.

Board of Trade, Whitehall.
Dated this 11th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons, and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
„ per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3

		s.	*d.*
	Beef or pork, per cwt.	0	3
	„ per barrel	0	6
	Biscuit or bread, per cwt.	0	3
5	Blubber, per ton of 252 gallons	3	0
	Bones and bone dust, per ton	1	6
	Bottles, per gross	0	9
	Bricks, per 1,000	1	6
	Butter and lard, per barrel	0	6
10	„ per firkin	0	3
	Cables, iron or hempen, per ton	3	0
	Canvas, per bolt	0	1
	Casks (empty), not being returned packages, per puncheon	0	3
	Other casks in proportion.		
15	Cattle:		
	Bulls, cows, and oxen, each	3	0
	Calves, each	1	0
	Horses, each	4	0
	Pigs, each	0	6
20	Sheep, each	1	0
	Chalk, per ton	1	0
	Cheese, per cwt.	0	4
	Chimney-pots, each	0	3
	Clay, per ton	1	0
25	Cloth, haberdashery, &c., per package not exceeding 1 cwt.	0	6
	Carriages:		
	Chaises and other four-wheeled carriages, each	7	6
	Gigs, carts, and other two-wheeled carriages, each	5	0
	Hand-carts and perambulators, each	1	0
30	Coals, per ton	1	0
	Copper, per ton	3	0
	Cordage, per cwt.	0	3
	Cork, per cwt.	0	6
	Corpses, each	20	0
35	Crystal, per box or package	0	6
	Dogs, each	0	6
	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
40	Eggs, per box	0	3
	Fish (dried and salted), per cwt.	0	2
	„ (fresh not enumerated), per cwt.	0	2
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
45	„ „ per barrel	0	3
	Fruit, per bushel or sieve	0	4
	Furniture (household), per 5 cubic feet	0	4
	Glass, per large crate	1	6
	„ per small crate or case	1	0
50	„ per box	0	6
	Grains and seeds, per quarter	0	6
	Groceries, not enumerated, per cwt.	0	6
	Guano, per ton	1	6
	Gunpowder, per barrel or keg	0	6
55	Hams, bacon, or tongues, per cwt.	0	4
	Hardware, per ton	2	6
	Hares and Rabbits, per dozen	0	4
	Hay, per ton	1	6
	„ per truss	0	2

Clevedon.

	s.	d.
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
„ (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
„ „ under 10 inches, each	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cubic foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per ton	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and Tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins (calf, goat, sheep, lamb, or dog), per dozen	0	6
Slates, per ton of 24 cubic feet	0	2
Spirits (Foreign and British), per hogshead	1	0
„ „ „ per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0

	s.	d.	*Clevedon.*
Water, per cask	0	3	
Wine, per hogshead	1	0	
„ (bottled), per dozen bottles	0	2	
Wood:			
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6	
Oak or wainscot, per load of 50 feet	2	0	
Firewood, of 216 cubic feet fathom	1	6	
Lath and lathwood, per fathom of 216 cubic feet	2	6	
Handspikes, per 120	3	0	
Oars, per 120	5	0	
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	5	0	
„ $2\frac{1}{2}$ inches in diameter and under, per 120	4	0	
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0	
„ above 4 and under 6 inches in diameter, per 120	14	0	
Spokes of wheels not exceeding 2 feet in length, per 120	2	0	
„ exceeding 2 feet in length, per 120	3	0	
Treenails, per 1,000	2	6	
Wedges, per 1,000	2	6	
Pipe staves, and others in proportion, per 120	2	6	
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0	
Wool, per cwt.	0	4	
Yarn, per cwt.	0	2	

All other Goods not particularly enumerated in the above Table.

Light goods, per cubic foot	0	1	
Heavy goods, per ton	2	0	

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Cranage.

All goods or packages not exceeding 1 ton	0	4	
Exceeding 1 ton, and not exceeding 2 tons	0	6	
Exceeding 2 tons, and not exceeding 3 tons	0	8	
Exceeding 3 tons, and not exceeding 4 tons	0	10	
Exceeding 4 tons, and not exceeding 5 tons	1	0	
Exceeding 5 tons, and not exceeding 6 tons	1	2	
Exceeding 6 tons, and not exceeding 7 tons	1	4	
Exceeding 7 tons, and not exceeding 8 tons	1	6	
Exceeding 8 tons, and not exceeding 9 tons	1	10	
Exceeding 9 tons, and not exceeding 10 tons	2	4	
Exceeding 10 tons	3	6	

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton

Clevedon.

	s.	d.
3rd. Shed Dues.		
For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwts., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.		5
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates for Laying Water Mains on Pier.

Water, per ton	0	6	

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.	
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	0	6	15
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2	
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding	0	0	6	20
For every perambulator	0	0	2	
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Clevedon, and using the said pier for the purpose of going into or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0	25

VI.—Rates on Passengers' Luggage.

	s.	d.	
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	2	
Over 28 lbs., and not exceeding 84 lbs.	0	4	30
Over 84 lbs., and not exceeding 112 lbs.	0	5	
Over 112 lbs., and not exceeding 140 lbs.	0	6	
Over 140 lbs., and not exceeding 196 lbs.	0	7	
Over 196 lbs., and not exceeding 2 cwts.	0	8	
And for every cwt. beyond	0	4	35
And for every 20 lbs. weight in addition	0	1	

RHYL.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Rhyl, in the County of Flint.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Rhyl Promenade Pier Company Limited made application by a Memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Rhyl, in the county of Flint, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls not exceeding those herein-after specified: Preamble.

And whereas the estimated expenditure on the proposed works is thirteen thousand pounds and no more:

And whereas the promoters have published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

1. The Rhyl Promenade Pier Company Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order. Undertakers.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order. Incorporation of Lands Clauses Act.

Rhyl.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade may require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier commencing below the east parade opposite or near to the end of Church Street, with limits of deviation laterally to the baths on the east, and to High Street on the west, in the parochial township of Rhyl, in the parish of Rhydlan, in the county of Flint, and extending seaward one thousand and fifty-six yards or thereabouts in a north-easterly direction.

Power to take rates according to Schedule.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described any sums not exceeding the rates in the Schedule specified.

Company may contract with persons for the use of the pier.

Pass tickets not to be transferable.

7. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms and for such a period, not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847, (for all the purposes of which Act this Order shall be deemed the special Act,) and the company may from time to time enter into a contract or contracts with any person or persons, company or body corporate, for any period not exceeding one year, for a composition or reduced payment or payments in respect of the tolls, rates, charges, and duties in the Schedule hereto, or any part or parts thereof, but so that no preference be given to any such person or persons, company or body corporate, respectively.

Exemption of Custom House officers from rates.

8. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels, and otherwise, without payment.

Lands for extraordinary purposes.

9. The Company shall not purchase for extraordinary purposes (within the meaning of The Harbours, Docks, and Piers Clauses Act, 1847,) lands exceeding in the whole two acres.

Meters and weighers.

10. The Company shall have the appointment of meters and weighers on the pier.

Steam engines, diving bells, lighters, &c.

11. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels, and also such tramways and carriages, as they may think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they may think reasonable.

12. Part

12. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the pier authorized by this Order. Part V. of 24 & 25 Vict. c. 47. to apply.

13. No cattle (except horses), and no bark, bones, or bone-dust, bricks, chalk, clay, coals, guano, gunpowder, hay, lime, limestone, minerals, manure, ores, or old ropes, slates, stones, tiles, or other such like heavy goods or merchandise, shall be landed on or embarked from the pier authorized by this Order at any time in the daytime after the hour of six o'clock in the morning, or before the hour of ten o'clock at night, from the first day of May to the first day of November in every year, without the consent in writing of the Improvement Commissioners of the town of Rhyl (for the time being) under their common seal for that purpose first had and obtained. Limitations as to heavy traffic.

14. This Order may be cited as The Rhyl Promenade Pier Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 15th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale, bottled, per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Beef or pork, per barrel	0	6
Biscuits or bread, per cwt.	0	3
Blubber, per tun of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0

Rhyl.

	s.	*d.*	
Canvas, per bolt	0	1	
Carriages:			
Chaises and other four-wheeled carriages, each	7	6	
Gigs, carts, and other two-wheeled carriages, each	5	0	5
Hand carts and perambulators, each	1	0	
Casks (empty) not being returned packages, per puncheon	0	3	
Other casks in proportion.			
Cattle:			
Bulls, cows, and oxen, each	3	0	10
Calves, each	1	0	
Horses, each	4	0	
Pigs, each	0	6	
Sheep, each	0	6	
Chalk, per ton	1	0	15
Cheese, per cwt.	0	4	
Chimney pots, each	0	3	
Clay, per ton	1	0	
Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6	
Coals, per ton	1	0	20
Copper, per ton	3	0	
Cordage, per cwt.	0	3	
Corks, per cwt.	0	6	
Corpses, each	20	0	
Crystal, per box or package	0	6	25
Dogs, each	0	6	
Drugs (in casks, hampers, or boxes) per foot	0	2	
Earthenware (in crates) per foot	0	1	
Eggs, per box	0	3	
Fish (dried and salted), per cwt.	0	3	30
Ditto, fresh, not enumerated	0	2	
Flax, per ton	2	0	
Flour and meal, per sack	0	4	
Ditto, per barrel	0	3	
Furniture (household) per 5 cubic feet	0	4	35
Fruit, per bushel or sieve	0	4	
Glass, per large crate	1	6	
Ditto, per small crate or case	1	6	
Ditto, per box	0	6	
Grains and seeds, per quarter	0	6	40
Groceries not enumerated, per cwt.	0	6	
Guano, per ton	1	0	
Gunpowder, per barrel or keg	0	6	
Hams, bacon, or tongues, per cwt.	0	4	
Hardware, per ton	2	6	45
Hares and rabbits, per dozen	0	4	
Hay, per ton	1	6	
Ditto, per truss	0	2	
Hemp, per ton	2	0	
Herrings (fresh), per 1,000	0	3	50
Ditto (cured), per barrel	0	3	
Hides:			
Ox, cow, or horse (wet or dry), each	0	2	
Iron:			
Bar, bolt, rod, and shots, per ton	1	6	55
Pig and old, per ton	1	0	
Manufactured, per ton	2	6	
Pots, each	0	1	
Kelp, per ton	2	0	

		s.	*d.*	*Rhyl.*
	Lead, per ton	2	6	
	Leather (tanned and dressed), per cwt.	0	4	
	Lime, per 28 bushels	1	4	
5	Limestone, per ton	1	0	
	Machinery, per ton	2	6	
	Manure (not enumerated), per ton	1	0	
	Masts and spars, ten inches in diameter and upwards, each	4	6	
	Ditto, under ten inches, each	3	0	
10	Meat (fresh), per cwt.	0	6	
	Milk, per gallon	0	0½	
	Musical instruments, per cubic feet	0	1	
	Nets, per 5 cubic feet	0	4	
	Oakum, per cwt.	0	2	
15	Oils, per ton	2	0	
	Oil cake, per ton	2	0	
	Oranges and lemons, per box	0	6	
	Ores, per ton	1	0	
	Oysters, per bushel	0	3	
20	Paint, per cwt.	0	4	
	Pitch and tar, per barrel	0	6	
	Potatoes, per cwt.	0	2	
	Poultry and game, per dozen	0	4	
	Rags and old rope, per ton	2	0	
25	Sails, per cwt.	0	6	
	Salt, per cwt.	0	1	
	Sand, per ton	1	0	
	Shrimp baskets, each	0	2	
	Skins: calf, goat, sheep, lamb, or dog, per dozen	0	6	
30	Slates, per ton of 24 cubic feet	2	0	
	Spirits (Foreign or British), per hogshead	1	0	
	Ditto, per gallon	0	1	
	Stones, per ton of 16 cubic feet	1	6	
	Steel, per ton	3	0	
35	Sugar, per cwt.	0	3	
	Tallow, soap, and candles, per cwt.	0	3	
	Tea, per chest	1	0	
	Tiles, per thousand	1	6	
	Tin and zinc, per ton	3	0	
40	Tobacco, per cwt.	0	6	
	Turbot, per score	0	3	
	Turnips, per ton	0	6	
	Turpentine and varnish, per barrel	0	6	
	Turtle, each	2	6	
45	Vegetables (not enumerated), per cwt.	0	4	
	Vinegar, per hogshead	0	6	
	Vitriol, per carboy	0	1	
	Water, per cask	3	0	
	Wine, per hogshead	1	0	
50	Ditto (bottled), per dozen bottles	0	2	
	Wood:			
	Fir, pine, and other descriptions, not enumerated, per load of fifty feet	1	6	
	Oak or wainscot, per load of fifty feet	2	0	
55	Firewood, per 216 cubic feet fathom	1	6	
	Laths and lathwood, per fathom of 216 cubic feet	2	6	
	Handspikes, per one hundred and twenty	3	0	
	Oars, per one hundred and twenty	5	0	

Rhyl.

	s.	d.
Wood—*continued.*		
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per one hundred and twenty	5	0
Ditto, 2½ inches in diameter and under, per one hundred and twenty	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per one hundred and twenty	9	0
Ditto, above 4 and under 6 inches in diameter, per one hundred and twenty	14	0
Spokes of wheels, not exceeding 2 feet in length, per one hundred and twenty	2	0
Ditto, exceeding 2 feet in length, per one hundred and twenty	3	0
Ditto, treenails, per thousand	2	6
Ditto, wedges, per thousand	2	6
Pipe staves, and others in proportion, per one hundred and twenty	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement on all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2*nd. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*rd. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates for Laying Water Mains on Pier.

	s.	d.
Water, per ton	0	6

V.—Rates on Passengers Landing on or Embarking from the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Rhyl, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers' Luggage Landed or Shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every 20 lbs. weight in addition	0	1

BRAY.

Provisional Order of the Board of Trade for the Construction of Works at Bray in the County of Wicklow, in addition to those authorized by The Bray Pier and Harbour Order, 1863; and for other Purposes.

Whereas by The Pier and Harbour Orders Confirmation Act, 1863, The Bray Pier and Harbour Order, 1863, set out in the Schedule thereto, made under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, empowering the Bray Pier and Harbour Company, herein-after called the Company, to make and maintain a Pier and Harbour at Bray, in the county of Wicklow, was confirmed (which Order is herein-after called the Order of 1863): Preamble.

Bray.

And whereas, under the two last-mentioned Acts, the Company made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order authorizing the construction of additional works, and the raising of further capital in the manner herein-after mentioned, and for other purposes:

And whereas the estimated expenditure on the proposed works is three thousand pounds, and no more:

And whereas the Company published the advertisements and deposited the documents which, by the thirdly-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Lands.

Power to take specified lands by agreement.

1. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

2. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

3. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Works.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:—

A Pier or Jetty, commencing at or near to the Martello Tower which is situated on Bray Strand, between the railway station at Bray and the point

point of Bray Head called Bray Point, and running nearly straight out to sea in a north-easterly direction, for a distance of three hundred yards or thereabouts from low-water mark: *Bray.*

with all proper works, approaches, landing places, and other conveniences connected therewith, for the recreation of the inhabitants and visitors of the town of Bray, and for the embarking and landing of passengers.

Rates.

Like rates as under Order of 1863.

6. The Company may demand and receive, for the pier or jetty and works authorized by this Order, the like rates as they are, by the Order of 1863, authorized to demand and receive for the pier and harbour thereby authorized.

Power to levy additional rates for purposes of Order of 1863 and this Order.

7. The Company, in addition to such rates as they are, by the Order of 1863, and by the foregoing provision of this Order, authorized to demand and receive, may demand and receive, as well for the pier and harbour authorized by the Order of 1863, as for the pier or jetty and works authorized by this Order, any sums not exceeding the rates in the Schedule hereto specified, in respect of the things in that Schedule described, anything in the Order of 1863 notwithstanding.

Shares: Management of Company.

Incorporation of parts of Companies Clauses Consolidation Acts, 1845 and 1863.

8. The provisions of The Companies Clauses Consolidation Act, 1845, so far as the same are applicable for the purposes of this Order, and Part I. (relating to cancellation and surrender of shares), and Part II. (relating to additional capital), of The Companies Clauses Act, 1863, shall be respectively incorporated with this Order, and shall, in all particulars not otherwise provided for by or under this Order, respectively apply to all shares and capital created, and to all money borrowed and mortgages granted, under this Order; and, in the construction of those provisions in connexion with this Order, the expression "the Special Act" shall mean this Order; the expression "the Company" shall mean the Bray Pier and Harbour Company; the expression "the Undertaking" shall mean the undertaking of the Company, and the provisions relating to the Superior Courts shall extend to any County or other Court having by law cognizance of the action.

Power to create new shares.

9. The Company may from time to time raise, for the purposes of this Order, any sum not exceeding in the whole three thousand pounds, by the creation and issue of three hundred shares of ten pounds each, to be called Extension shares.

Rights and qualification of new shareholders.

10. Subject to the other provisions of this Order, all Extension shares shall confer the like qualifications and rights of voting as the original shares of the Company confer, and the several persons who have subscribed, or hereafter subscribe, to the undertaking authorized by this Order, shall, in proportion to their respective subscriptions, be holders of Extension shares, and shall be called Extension share holders.

Amount and number of calls.

11. The amount of any one call to be made upon the Extension shares shall not exceed two pounds per share, and successive calls shall not be made at a less interval than three months.

New works and capital to constitute a separate undertaking and capital.

12. The pier or jetty and works authorized by this Order shall, for financial purposes, form a separate undertaking, and the capital and Extension shares created under this Order shall constitute a separate capital.

As to dividend on new shares.

13. The profits from time to time applicable to dividend of the pier or jetty and works authorized by this Order shall be wholly applied in payment of interest or dividend on the Extension shares, and the Extension share holders shall not in respect thereof be entitled to interest or dividend out of any other profits of the Company.

Separate accounts to be kept in respect of new shares.

14. Extension shares shall be so designated in the books of the Company and on the certificates issued for the same; and the Company shall keep separate accounts of all receipts and payments from, for, or on account of the pier or jetty and works authorized by this Order.

Restriction as to right of voting in respect of extension shares.

15. Extension shares shall not confer any right of voting or interference at any meeting of the Company on any question or proceeding not directly affecting the pier or jetty and works authorized by this Order.

Increase of number of directors.

16. From and after the passing of an Act confirming this Order the number of directors of the Company shall be seven, and the quorum of a meeting of the directors shall be three.

Mode of election of directors.

17. Five of the directors (the qualification of each of whom shall be the possession in his own right of not less than twenty original shares in the Company) shall be from time to time appointed by the original share holders under the Order of 1863, and two of the directors shall be from time to time appointed by the Extension share holders in manner herein-after directed; and any person being a director appointed by the original share holders shall, while he continues such director, be incapable of being elected a director by the Extension share holders; and any person being a director appointed by the Extension share holders shall, while he continues such director, be incapable of being elected a director by the original share holders.

Extension share holders to elect two directors of Company.

18. At the first ordinary meeting of the Company held in the year 1865, the Extension share holders present, personally or by proxy, at such meeting shall elect two directors, who shall continue in office until the first ordinary meeting of the Company held in the year 1866; and the Extension share holders shall from time to time, as often as vacancies occur by effluxion of time, at the meetings when directors in the room of retiring directors are chosen, elect two other directors, the qualification of each of whom shall be the possession in his own right of twenty Extension shares, and such two directors shall continue in office until the first ordinary meeting of the Company held in the then next succeeding year, and any outgoing director shall be re-eligible; and any occasional vacancy among such two directors may, subject to the provisions of this Order, be filled up in the manner prescribed in The Companies Clauses Consolidation Act, 1845, for the supplying of occasional vacancies in the office of directors; and the present directors of the Company, and those from time to time appointed by the original share holders, and the two directors to be appointed under this Order, shall, subject to the provisions of this Order, enjoy the like powers as if they had been elected by the whole of the shareholders of the Company.

19. The

19. The holders of original shares or stock in the Company shall not be entitled as such to vote at any meeting of the Company in regard to the election of directors by the Extension share holders, and Extension share holders shall not be entitled as such to vote at any meeting of the Company in regard to the election of directors by the original share holders. The two classes of shareholders to vote separately in election of their respective directors.

20. No director appointed by the original share holders shall be entitled to vote at the election of any director to fill up any vacancy among the directors appointed by the Extension share holders, and no such last-mentioned director shall be entitled to vote at the election of any director to fill up any vacancy among the directors appointed by the original share holders. As to vacancies amongst directors.

21. The Company may from time to time, under this Order, borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order; but no money shall be borrowed until the whole of the capital of three thousand pounds is subscribed for or taken, and until one-half thereof is actually paid up, and until the Company prove to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40 (before he so certifies), that all such capital has been subscribed for, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same (of which proof having been given, the certificate of such Justice under that section shall be sufficient evidence). Power to borrow.

22. The mortgagees of the Company under this Order may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver: the amount to authorize a requisition for a receiver shall be three hundred pounds. Receiver.

23. The Company shall not, out of any money raised under this Order, by calls or borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

24. The Company shall not, out of the money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposit under Standing Orders, &c.

25. Every part of the money so raised shall be applied only for purposes authorized by this Order. Money to be applied to purposes of Order.

Miscellaneous.

26. Nothing in this Order shall entitle vessels or boats to ship or unship, at the pier or jetty authorized by this Order, any sheep, cattle, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the pier or jetty for recreation or for the embarking or landing of passengers. Restriction on use of pier.

27. The limits within which the Company shall have authority (which shall be deemed the limits of the Order of 1863 and of this Order) shall extend from the Martello Tower which is situate on Bray Strand, in the county of Dublin, about five hundred yards or thereabouts north of the Bray River, across the Limits of Harbour.

Bray.

mouth of the Bray River southward to the point of Bray Head, called Bray Point, in the county of Wicklow, and extending seaward for a distance of five hundred yards from high-water mark at ordinary spring tides between the aforesaid points.

Part of Harbours Clauses Act not incorporated.

28. Sections 16, 17, 18, and 19, of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Harbour authority.

29. The Company shall be the Harbour Authority for or in connexion with the pier and harbour authorized by the Order of 1863, and the pier or jetty and works authorized by this Order, within the prescribed limits.

Expenses of Order.

30. The costs, charges, and expenses of applying for and obtaining this Order, or preparatory or incident thereto, shall be paid by the Company out of the money raised under this Order.

Construction and short title.

31. This Order shall be read and construed (as far as may be), together with the Order of 1863, as one Order, and may be cited as The Bray Pier and Harbour (Extension) Order, 1864.

Board of Trade, Whitehall.
Dated this 16th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which the foregoing Order refers.

ADDITIONAL RATES FOR THE PIER AND HARBOUR AUTHORIZED BY THE ORDER OF 1863, AND FOR THE PIER OR JETTY AUTHORIZED BY THE FOREGOING ORDER.

	s.	*d.*
For every bath or sedan chair taken on either pier or jetty, for each time	0	6
For every perambulator so taken, for each time, not exceeding	0	4
For every trunk, portmanteau, box, parcel, or other package of passengers' luggage, landed or shipped, not exceeding in weight 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8

KIRCUBBIN.

KIRCUBBIN.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Kircubbin, in the County of Down.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, Robert Edward Ward, of Bangor Castle, in the county of Down, Esquire, made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said Robert Edward Ward, as promoter, to execute the works herein-after mentioned at the port and harbour of Kircubbin aforesaid, and also to levy and recover harbour rates and duties, according to the Schedule annexed to the said memorial: Preamble.

And whereas the estimated expenditure on the said works is one hundred pounds and no more:

And whereas the promoter published the advertisements and deposited the documents which he was by the last-mentioned Act required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. The said Robert Edward Ward and his successors shall be the undertakers of the works authorized by this Order. Undertakers.

2. Subject to the provisions of this Order, the undertakers may, in or at the said harbour, and in the lines and on the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make works.

3. The works authorized by this Order comprise the following:— Description of works.

The repairing of the quay or pier, by repairing the paving of the roadway or surface thereof, and of the sea slope on the outside of the pier, and cleaning out and deepening the present harbour, and erecting mooring posts on the pier, or about the same.

Kircubbin.

Power to take rates in schedule.

4. From and after the completion of the proposed works (of which completion a certificate signed by the chairman of the Quarter Sessions having jurisdiction at the port of Kircubbin shall be conclusive evidence, which certificate such chairman shall sign and give on being satisfied of such completion), the undertakers may demand and receive in respect of the vessels, goods, and things described in the schedule hereto, at the said quay or pier, any sums not exceeding the rates in that schedule specified; but nothing in this Order shall prevent the undertakers from taking at the said quay or pier before the completion of the proposed works any rates which they would have been entitled to take there if this Order had not been made.

Exemption of Custom House officers.

5. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the pier and harbour by land, and with their vessels and otherwise, without payment.

Application of receipts.

6. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

(1.) In paying the expenses of, and connected with the applying for, obtaining, and making of this Order.

(2.) In paying the expenses of the maintenance, management, and regulation of the existing harbour and works, and of the new works authorized by this Order.

(3.) And as to the surplus revenue of the harbour, that is to say, so much of the rates as may remain after answering the purposes aforesaid, the same shall be applicable by the undertakers to and for their own proper use and benefit.

Exception of parts of the Harbours Clauses Act.

7. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; namely, Sections 16, 17, 18, 19, 25, 26, 49, and 50.

Meters and Weighers.

8. The undertakers shall have the appointment of meters and weighers within the harbour.

Providing engines, lighters, &c.

9. The undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Pilotage and lights, buoys and beacons.

10. The undertakers shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities.

Short title.

11. This Order may be cited as The Kircubbin Harbour Order, 1864.

Board of Trade, Whitehall,
Dated this 18th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHE-

SCHEDULE referred to in the foregoing Order.

I.—Rates on Vessels entering or using the Harbour or Pier.

	s.	d.
For every vessel, per register ton	0	2

All pleasure boats, boats entirely open, and fishing boats exempt.

II.—Rates on Goods shipped or unshipped, received or delivered, within or at the Harbour or Pier.

	s.	d.
Bricks, per ton	0	0½
Cattle, bulls, cows, oxen, and horses, each	0	1
Cattle, calves, pigs, sheep, and lambs, per score	0	3
Clover seed, per sack	0	1½
Coals, per ton	0	0½
Deals, per 120	1	0
Flour, per ton	0	3
Potatoes, per ton	0	1
Gunpowder, per barrel	0	0½
Iron, per ton	0	1½
Lead or other ores, per ton	0	3½
Meal, per ton	0	1½
Salt rock, per ton	0	1
Slates, per ton	0	1
Stones (other than limestone), per ton	0	1½
Tiles, per 1,000	0	2
Timber of all kinds, except deals, per load of 50 feet	0	2

All other Goods not particularly enumerated above, except Limestone.

Light goods, per barrel bulk	0	1
Heavy goods, per ton	0	2

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk, but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a barrel bulk.

III.—Rates for the Cranes, Weighing Machines, and Sheds provided at the Harbour or Pier.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding one ton	0	1½
Exceeding one ton, and not exceeding two tons	0	2
Exceeding two tons, and not exceeding three tons	0	3
Exceeding three tons, and not exceeding four tons	0	4
Exceeding four tons, and not exceeding five tons	0	5
Exceeding five tons, and not exceeding six tons	0	6
Exceeding six tons	0	7

2nd. Weighing Machines.

For goods weighed, 1*d.* for each ton or part of a ton.

3rd. Shed Dues.

For each ton of goods of eight barrels bulk or for each ton of goods of 20 cwt. which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

WALTON (SUFFOLK).

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Walton in the County of Suffolk.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Walton (Suffolk) Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth that the construction of a pier at Walton in Suffolk would be of great public and local advantage, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the execution of the works, and for the levying of rates and tolls not exceeding those mentioned in the Schedule hereto annexed, and also for the incorporation of a company:

And whereas the estimated expenditure upon the proposed works is one thousand eight hundred pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of the General Pier and Harbour Act, 1861, and the General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Walton (Suffolk) Pier Company.

Incorporation of Company.

1. The following persons, namely, John Chevallier Cobbold, Stephen Charles Hope, and Henry Chevallier Cobbold, and all other persons and corporations who have already subscribed or may subscribe to the undertaking by this Order authorized, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the pier and works by this Order authorized, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated

rated by the name of the Walton (Suffolk) Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order. *Walton (Suffolk).*

2. The Walton (Suffolk) Pier Company (herein-after called the Company) shall be the undertakers of the works authorized by this Order. The undertakers.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order. Companies Clauses Act incorporated.

4. The capital of the Company shall be two thousand pounds in two hundred shares of ten pounds each. Capital.

5. No calls shall exceed two pounds per share; successive calls shall not be made at a less interval than three months. Calls.

6. The Company may from time to time borrow on mortgage or bond at interest such sums of money as may be required for the purposes of the works authorized by this Order, but no money shall be borrowed until the whole of the capital of two thousand pounds is subscribed for or taken, and until one half thereof is actually paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section forty, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same (of which proof having been given the certificate of such Justice under that section shall be sufficient evidence). Borrowing from time to time.

7. The mortgagees of the Company may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver; the amount to authorize a requisition for a receiver shall be two hundred pounds. Receiver.

8. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him, but this provision shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions in The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

9. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposits under Standing Orders.

10. Every part of the money so raised shall be applied only for purposes by this Order authorized. Money to be applied to purposes of Order.

11. The first general meeting of the Company shall be held within three months after the passing of an Act of Parliament confirming this Order. First General Meeting.

12. The number of directors shall be three, with power to the Company to increase the number, but not beyond five. Number of directors.

13. The quorum of a meeting of directors shall be two. Quorum of directors.

14. The persons herein-before named shall be the first directors. First directors.

Walton (Suffolk).

Qualification of directors.

15. The qualification of a director shall be the possession in his own right of not less than ten shares.

Lands.

Power to take specified land by agreement.

16. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

17. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Land for extraordinary purposes.

18. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Works.

Power to make works.

19. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of the deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

20. The works by this Order authorized comprise the following:

A pier in the parish of Walton in the county of Suffolk, to be constructed between the present pier or jetty and the Martello Tower Battery at Walton, and to extend from high-water mark to about fifty-five yards below low-water mark, together with all necessary and convenient quays, wharfs, jetties, landing places, works, and conveniences connected with the said pier.

Rates.

Power to take rates according to schedule to this Order.

21. The Company may demand and receive in respect of the vessels, goods, persons, and things in the schedule hereto described any sums not exceeding the rates in that schedule specified.

Custom House officers exempt from rates.

22. Officers of the Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Restriction on use of pier.

23. Nothing in this Order shall entitle vessels or boats, excepting with the consent of the Company, to ship or unship at the pier any sheep or cattle.

Power of Company to contract with persons for use of pier.

24. The Company may grant to foot passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such periods not exceeding one year, as may be agreed on, but so that no preference be given to any person; such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use; if any person acts in any way contrary to this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every

every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act. *Walton (Suffolk).*

General Provisions.

25. The Company shall have the appointment of meters and weighers on or in connexion with the pier. Meters and weighers.

26. Sections 16, 17, 18, and 19 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order. Life-boats, tide-gauges, &c.

27. This Order may be cited as The Walton (Suffolk) Pier Order, 1864. Short title.

Board of Trade, Whitehall,
Dated this 19th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burthen of fifteen tons, per ton - -	3	0
For every vessel of the burthen of fifteen tons and upwards, per ton -	4	0
For every vessel of the burthen of fifty tons, and under one hundred tons, per ton - - - - - - -	0	6
For every vessel of the burthen of one hundred tons, and under one hundred and fifty tons, per ton - - - -	0	8
For every vessel of the burthen of one hundred and fifty tons and upwards - - - - - - -	0	10

II.—Rates on Persons Landing at or Embarking from or using the Pier.

For every passenger or other person who shall land from or embark on board of any vessel, for each and every time, any sum not exceeding - - - - - - - -	0	2
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding -	0	1½

III.—Rates on Goods Shipped or Unshipped at the Pier.

Anchors, per hundredweight - - - - - -	0	3
Ashes, per barrel - - - - - - - -	0	1
Alum, per hundredweight - - - - - -	0	1
Anchovies, per barrel - - - - - - -	0	1
Anchor stock, per foot run - - - - - -	0	1

Walton (Suffolk).

	s.	d.
Apples and pears, per sack of three bushels	0	2
Asparagus, per basket	0	2
Ale, porter, beer, cyder, or perry, per butt	0	4
per cask	0	1
per hogshead	0	2
per half hogshead, or other less quantity	0	1
in bottles, per twelve dozen	0	2
Bran or pollard, per eight bushels	0	1
Beer, table, per nine gallons	0	1
Beef or pork, contained in any cask, per hundredweight	0	1
Barrel boards or staves, per thousand	0	9
Butt staves, per hundred	1	0
And all other staves in proportion.		
Battens, Petersburg, per hundred	0	6
Boards or battens, close, per hundred	0	4½
Billiard table	2	6
Bedstead, mahogany	0	3
every other	0	2
Bricks, per thousand	0	4½
Barilla, per ton	1	0
per seron	0	2
Bolt of canvas, No. 1, 2, 3	0	0½
every other	0	1
Butt, pipe, or puncheon, entire or in staves, each	0	1
Bottles, empty, per dozen	0	1
Bale, every box, truss, trunk, case, chest, bundle, or parcel containing goods not enumerated in Schedule, per cubic foot	0	0½
Ditto per hundredweight	0	1
Basket or maund, containing goods not enumerated in Schedule	0	4
smaller, each	0	3
empty, per dozen	0	1
Beef or pork, per tierce	0	4
per barrel	0	1
Butter, per barrel	0	1
or cheese, per hundredweight	0	1
Biscuit, per bag	0	1½
Beans and peas, per sack	0	1
Bottles, full, in hampers, per dozen	0	2
Brooms, hair, and mops, per dozen	0	0½
Bacon, per side	0	1
Beef, per hundredweight	0	1
Bedding, seamen's	0	1
Currants or raisins, per hundredweight	0	1
Coffee, per hundredweight	0	1
Copper or brass, wrought or unwrought, per hundredweight	0	1
Chalk stones, rough or hewn, per ton	0	4
Cordage, per hundredweight	0	1½
Clover seed, per sack	0	3
Calf skins, per dozen	0	4
Colours, per firkin	0	1
Carboys, each	0	2
Coals, culm, splint, coke, or cinder, per ton	0	6
Chest of drawers, double	0	8
single	0	5
Chairs, per dozen	0	6
Chairs, each	0	1
Chimney-pots, each	0	1
Cabbages, per dozen	0	1

		s.	d.
	Carrots, and vegetable roots, per hundred	0	1
	Deals, per load, containing fifty cubic feet	0	9
	Dogs, each	0	2
5	Earthenware, per large crate	0	6
	per small crate	0	3
	Fish, per pot, prickle, or pad	0	1
	per ton	1	0
	per trunk	0	1
10	Fish, per bushel or sieve	0	1
	Fruit, per bushel or sieve	0	1
	Flour, per sack of five bushels	0	1
	Faggots, per hundred	0	3
	Fire wood, per cord	0	3
15	Feathers, per hundredweight	0	1
	Foxes, each	0	6
	Fowls, and every other sort of Poultry, per head	0	1
	Flint stones, per ton	0	1
	Glass ware, per large crate	0	6
20	per small crate	0	3
	window, per crate	0	4
	Grindstones, each	0	1
	Grate or range, large	0	6
	small	0	3
25	Gunpowder, per barrel	0	6
	Garden stuff, per bushel or sieve	0	1
	Guano, per ton	0	9
	Hay, per load of thirty-six trusses	0	6
	Hops, per bag	0	3
30	per packet	0	2
	Hams, bacon, or tongues, per hundredweight	0	1
	Herrings, red, per barrel	0	2
	Hogshead, packed with goods not enumerated in Schedule	0	6
	Hoops, per bundle	0	1
35	Hurdles, per hundred	0	10
	Hardware, per cask or box	0	6
	Harpsichord	1	0
	Harps, each	0	8
	Hemp, per hundredweight	0	1
40	Hares, pheasants, and all other game, per head	0	1
	Hides, raw or tanned	0	1
	Iron, per hundredweight	0	1
	per ton	1	0
	pots, each	0	1
45	Kelp, per ton	0	6
	Laths, per twenty bundles	0	3
	Lath wood, six feet per fathom	0	6
	five feet ditto	0	4
	Lead, per hundredweight	0	1
50	Lead, per ton	1	0
	Lime, per load of twenty-eight bushels	0	1
	Leather, per hide	0	3
	Leeks, per dozen bundles	0	1
	Lumber and every other article not specified before in this Table, per		
55	foot cube	0	1
	dosser hundredweight	0	1
	Meal or middlings, per hundredweight	0	1
	Mahogany, in logs or planks, per foot cube	0	1
	Masts, ten inches in diameter or upwards, each	2	0

Walton (Suffolk).

	s.	*d.*
Masts under ten inches, each	0	9
Millstones, large, each	0	6
small, each	0	4
Molasses, per puncheon	0	4
Mustard, per thirty pound barrel	0	1
Marble, per ton	1	0
Nails, per bag	0	1
Nuts, per bag	0	1
Oil cakes, per thousand	0	9
Oranges and lemons, per chest	0	3
per half chest	0	2
Oil, train, or fish, per barrel, and so on in proportion for any greater or smaller quantity	0	4
Oak or elm planks, per load, containing thirty cubic feet	0	6
Oysters, per bushel	0	1
per firkin or smaller barrel	0	1
Oil cake, per hundredweight	0	3
Ovens, each	0	3
Ordnance pieces of brass or iron, per hundredweight	0	2
Onions, per bushel	0	1
Oatmeal, per sack	0	1
Oil, per pipe	0	6
per hogshead	0	2
per half hogshead	0	1
per jar	0	1
per chest	0	1
per half chest	0	1
Potatoes, per barrel	0	1
per ton	0	9
per sack of three bushels	0	1
Plums, per box	0	1
Pale cleft, per thousand	0	9
Posts and rails, per load of fifty cubic feet	0	6
Peas and rice, per sack	0	1
Pewter, wrought, per hundredweight	0	1
old	0	1
Pianofortes, each	2	0
Pitch and tar, per barrel	0	2
Paper, per cwt.	0	6
Straw, per load	0	6
Sugar loafs, per hundredweight	0	1
raw, per hundredweight	0	1
Salt, per hundredweight	0	1
Spars, per score	0	3
Solder, per hundredweight	0	1
Sofas, each	0	6
Stone, per ton	0	6
paving, per ton	0	6
Slate, per ton, containing twenty-four cubic feet	0	6
Stove, register	0	4
Stove, other	0	3
Sedan chairs, each	0	6
Salmon, per kit or basket	0	1
Skins, goat, dog, calf, sheep, or lamb, per doz.	0	4
Soap, per hundredweight	0	1
Starch, per hundredweight	0	1
Staves, pipe, per hundred	0	1
hogshead, per hundred	0	1
barrel, per hundred	0	1
ends, per hundred	0	1

		s.	d.
	Shoes or boots, per box or hamper	0	6
	Shot, per bag	0	1
	Salt fish, per hundredweight	0	1
5	Spades and shovels, per doz.	0	2
	Shrimp baskets, each	0	0½
	Tallow, soap or candles, per hundredweight	0	1
	Tea, per quarter chest	0	2
	And so on in proportion for any greater or less quantity than half chest.		
10	Tar, per cask	0	2
	Treacle, per hundredweight	0	1
	Timber, per load, containing fifty cubic feet	0	6
	Tables, dining, per set	1	1
	other dining tables, each	0	6
15	card or pembroke, each	0	3
	every other, each	0	3
	Tombstones, each	1	6
	marble	2	6
	Tiles, plain, per thousand	0	3
20	hip or gutter, per thousand	0	4
	ridge or pantiles, per thousand	0	6
	mathematical, per thousand	0	9
	Tiles, paving, per thousand	0	3
	Turtle, each	0	10
25	Tobacco and snuff, per hundredweight	0	1
	Tallow, per hundredweight	0	1
	Tin, per cwt.	0	2
	Turbot, per score	0	1
	Trunk, portmanteau, or bundle, each	0	1
30	Vats packed with goods not enumerated in Schedule, each per foot cube	0	1
	per hundredweight	0	1
	Violins or bass viols, or other stringed instruments (except harps), each	0	2
	Vinegar, per hogshead	0	4
35	Wheat, oats, &c., per quarter	0	2
	Wool, yarn or cotton, per hundredweight	0	4
	Wine (not British), sweet oil, or spirits, for every gallon contained in any butt, pipe, puncheon, or piece, or any cask whatsoever	0	1
	Oil or spirits in bottles, per dozen	0	2
40	per pipe	0	6
	per hogshead	0	3
	per half hogshead	0	2
	All goods not enumerated in this Schedule to pay at the rate of 1*d.* per cube foot, or 2*d.* per hundredweight, or 3*d.* per bushel or gallon.		

HOLYWOOD.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier and Quay at Holywood in the County of Down.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Holywood Pier Company, Limited, made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Preamble.

Holywood.

of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said Holywood Pier Company, Limited, to erect a Pier and Quay at Holywood aforesaid, and to execute all necessary works connected therewith, and to acquire such land as may be requisite for those purposes, and to levy and recover tolls, rates, and duties thereat, according to the schedule annexed to the Draft Provisional Order, and also to borrow a sum not exceeding seven thousand eight hundred pounds on the security of the said tolls, rates, and duties for the construction of such works as aforesaid:

And whereas the estimated expenditure on the said works and connected therewith is seven thousand eight hundred pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which they were by the last-mentioned Act required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation thereof (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order the following provisions shall take effect and be in force:

The undertakers.

1. The Holywood Pier Company, Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

6. The works authorized by this Order comprise the following:

(1.) A Pier at Holywood, on iron piles, commencing in the bed or shore of Belfast Lough at a point seventy-five yards or thereabouts distant (measured in the line the continuation of Shore Street) from the

the Bath-house at the corner of Shore Street and Marine Parade, and extending north-westward over the bed or shore of Belfast Lough for a distance of twelve hundred and fifty-three yards or thereabouts, terminating at the navigation channel: *Holywood.*

(2.) A Quay, commencing in the bed or shore of Belfast Lough at the point above described, and extending north-westward along the east side of the before-described pier for a distance of three hundred and fifty-six two-thirds yards or thereabouts, terminating at a point in the bed or shore of Belfast Lough:

together with all necessary and convenient landing places, wharves, jetties, cranes, weighing machines, works, and conveniences connected with such Pier and Quay respectively.

Power to take rates according to schedule.

7. The Company may demand and receive in respect of the vessels, boats, persons, animals, goods, and things in the schedule hereto described any sums not exceeding the rates in that schedule specified.

Commencement of rates.

8. As soon as either the Pier or the Quay is completed and fit for the accommodation or reception of the vessels, boats, persons, animals, goods, or things in respect of which rates are by this Order authorized to be levied, then (whether the remaining part of the works authorized by this Order is completed or not) the Company may begin and they may thenceforth continue to demand and receive such of the rates specified in the schedule to this Order as are applicable to the Pier or Quay so completed and fit (as the case may be).

Certificate of completion.

9. A certificate under the hand of the chairman of the Quarter Sessions shall be conclusive evidence that the Pier or the Quay (as the case may be) is so completed and fit as aforesaid; and the chairman shall sign such certificate on proof being adduced to him of such completion and fitness.

Power to borrow for works.

10. For the purposes of this Order the undertakers may from time to time borrow and re-borrow at interest, on mortgage of the undertaking and the rates payable under this Order, such moneys as they think fit, not exceeding in the whole seven thousand eight hundred pounds.

Commissioners Clauses Act.

11. The provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order.

Sinking fund.

12. The sum to be every year appropriated as a sinking fund is one thirtieth part of the principal money borrowed, such appropriation to commence from the expiration of one year after any such certificate of completion and fitness as aforesaid has been obtained by the Company.

Receiver for mortgagees.

13. The mortgagees of the Company may enforce the payment of the arrears of interest or the arrears of principal and interest due to them by the appointment of a receiver.

Amount for receiver.

14. The amount to authorize a requisition for a receiver is five hundred pounds.

Application of money borrowed.

15. All money borrowed under this Order shall be applied only for purposes of the undertaking.

Meters and weighers.

16. The Company shall have the appointment of meters and weighers in connexion with the Pier and Quay respectively.

Power to contract with persons for use of Pier.

17. The Company may grant to passengers and promenaders tickets for the use of the Pier on such terms, and for such period not exceeding one year, as

Holywood.

as may be agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for the purposes of which Act this Order shall be deemed the special Act.

Parts of Harbours, Docks, and Piers Clauses Act, 1847, excepted.

18. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to twenty-three both inclusive, and sections twenty-five and twenty-six.

Exemptions of Custom House Officers from rates.

19. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier and Quay with their vessels and otherwise without payment.

Part V. of 24 & 25 Vict. c. 47. to apply.

20. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Application of rates.

21. The rates to be received under this Order shall, after payment of expenses of management, maintenance, and regulation of the Pier and Quay, and of interest on money borrowed, and after provision for the sinking fund, be applicable by the Company to and for their own proper use and benefit.

Short title.

22. This Order may be cited as The Holywood Pier and Quay Order, 1864.

Board of Trade, Whitehall.
Dated this 22d day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE referred to in foregoing Order.

Rates on Vessels using the Pier.

	s.	*d.*
For every passenger steamer plying between Holywood and Belfast, or Holywood and other place in Belfast Lough, stopping at the pier for the purpose of landing or embarking any passengers or passenger, for each trip per registered ton not exceeding per ton - -	0	1
For every other vessel using the pier, not exceeding per registered ton -	0	2
Pleasure boats, fishing boats, and open boats not carrying cargo -	Exempt	

Rates on Goods or Animals shipped or unshipped, received or delivered, at the Pier or Quay.

Coals, per ton - - - - -	not exceeding	0	4
Bricks or stone, other than lime-stone, per ton - - -	,,	0	2
Lime-stone, per ton - - - -	,,	0	4
Lime, per barrel - - - - -	,,	0	1
Tiles, per 1,000 - - - - -	,,	0	6
Deals, per 120 - - - - -	,,	1	0
Other timber, per load of 50 feet - - -	,,	0	2
Iron, per ton - - - - -	,,	0	2
Lead, per ton - - - - -	,,	0	3

Holywood.

		s.	d.
	Slates, per ton - - - - - not exceeding	0	2
	Flour, per ton - - - - - „	0	3
	Meal, per ton - - - - - „	0	2
5	Potatoes, per ton - - - - - „	0	4
	Corn or grain, per ton - - - - „	0	4
	Clover-seed, per sack - - - - - „	0	3
	Manure, per ton - - - - - - „	0	3
	Cattle, bulls, cows, oxen, and horses, each - - „	0	2
10	Ditto, calves, pigs, sheep, and lambs, per score - „	0	6
	Gunpowder, per barrel - - - - „	0	1

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	Light goods, per barrel bulk - - - - not exceeding	0	2
	Heavy goods, per ton - - - - - „	0	4

15 In charging rates on goods, the gross weight or measurement of all kinds to be taken; and for any less weight, measure, or quantity than those above specified, a proportion of the above rate shall be charged. Five cubic feet not exceeding $2\frac{1}{2}$ cwt. to be rated as a barrel bulk, but when the weight of five cubic feet is greater than $2\frac{1}{2}$ cwt., then $2\frac{1}{2}$ cwt. to be rated as a 20 barrel bulk.

RATES OF CRANEAGE AND WEIGHING MACHINES TO BE PROVIDED.

Craneage.

	All goods under 1 ton - - - - - not exceeding	0	2
	1 ton and under 2 tons - - - - - „	0	3
25	2 tons „ 3 tons - - - - - „	0	4
	3 tons „ 4 tons - - - - - „	0	5
	4 tons „ 5 tons - - - - - „	0	6
	5 tons „ 6 tons - - - - - „	0	7
	6 tons - - - - - - - „	0	8
30	And for every additional ton above 6 tons not exceeding per ton -	0	1

Weighing Machines.

	For each ten hundredweight or part thereof - - - -	0	1

SHED DUES.

	For each ton of eight barrels bulk, or for each ton of 20 cwt., or		
35	fractional part thereof respectively, which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours -	0	6
	And for each day during which such goods shall remain after the first 48 hours, for each ton or fractional part thereof - - -	0	1

PASSENGERS AND PROMENADERS USING THE PIER.

40	For every passenger or other person who shall land on the pier, or embark therefrom on board of any ship, vessel, packet, passage, or other boat, for each and every time not exceeding - - -	0	1
	Passengers luggage under 28 lbs. weight - - - -	Exempt	
	For every further 28 lbs., or fractional part thereof, not exceeding -	0	1
45	For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except embarking or disembarking, for each and every time not exceeding - -	0	1
	For every bath or sedan chair taken on the pier, for each and every time not exceeding - - - - - - - -	0	6
50	For every perambulator taken on the pier, for each and every time not exceeding - - - - - - - -	0	6
	Crews from boats or ships lying in the Lough of Belfast landing for the purpose of procuring provisions for ships' use - -	Exempt	

EXE BIGHT.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier in the Exe Bight in the Harbour of the River Exe in the County of Devon.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Right Honourable William Reginald Earl of Devon made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, hereinafter called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said William Reginald Earl of Devon, as promoter, to construct a pier on the soil and bed of the River Exe and lands adjoining thereto and contiguous to that part of the River Exe called the Exe Bight in the county of Devon, to complete the execution of the works, to levy tolls and rates, and also to borrow a sum, not exceeding fifteen thousand pounds, on the security of the said rates, for the construction of such works as aforesaid:

And whereas the estimated expenditure on the said works is fifteen thousand pounds, and no more:

And whereas the promoter published the advertisements and deposited the documents which he was by the last-mentioned Act required to publish and deposit:

And whereas the said William Reginald Earl of Devon has undertaken the construction of an embankment on the foreshore of the river Exe, extending from Starcross to Warren Point, (which proposed embankment was approved, so far as regards navigation, by the Lords Commissioners of the Admiralty by Order dated the 5th day of December 1862,) and the proposed pier is intended to be constructed in connexion with that embankment:

And whereas it is expedient that the site and dimensions of the proposed pier be under the control of the Board of Trade, with a view to the prevention of injury to the navigation of the river Exe:

And whereas the proposed embankment is likely to be completed in the course of the year 1864, but until it is completed the proper site and dimensions for the proposed pier cannot be determined:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of

of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order— *Exe Bight.*

That, from and immediately after the passing of the Act of Parliament confirming this Provisional Order, the following provisions shall take effect, and be in force :

1. The said William Reginald Earl of Devon, his heirs and assigns, or other his successors in estate, shall be the undertakers of the works authorized by this Order. Undertakers.

2. For the purposes of the works authorized by this Order the undertakers may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works. Lands.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Lands Clauses Acts.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Works.

5. The works authorized by this Order comprise the following : Description of works.

1. A pier or jetty commencing at or near a place about 2,300 feet distant in a south-easterly direction from the point on the South Devon Railway where a stream called Cockwood Lake passes under the railway, and extending into the Exe Bight in a north-easterly direction, and in a straight line about 396 feet or thereabouts, and then turning both in a south-easterly and in a north-westerly direction, and extending in each of those directions about 330 feet or thereabouts ;

2. To dredge, scour, cleanse, or remove any bank of sand or mud adjoining the proposed pier or jetty ;

with all necessary or proper buoys, warping-posts, guides, helps, quays, wharfs, approaches, works, and conveniences connected with the proposed pier or jetty.

6. Notwithstanding anything herein-before contained, the proposed pier shall not be constructed, except on such site (within the limits of deviation shown on the deposited plans) and of such dimensions as the Board of Trade may from time to time, before the completion of the proposed pier, direct or approve, with a view to the prevention of injury to the navigation of the river Exe. Approval of Board of Trade for site, &c.

7. The undertakers may demand and receive in respect of the vessels, goods, persons, and things in the schedule hereto described any sums not exceeding the rates in the schedule specified. Rates.

8. The undertakers may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any Pass tickets.

Exe Bight.

person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act.

Customs officers.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the pier and works by land, and with their vessels and otherwise, without payment.

Borrowing.

10. For the purposes of this Order the undertakers may from time to time borrow and re-borrow at interest, on mortgage of all or any part of the rates authorized by this Order, and of the lands and property vested in the undertakers under or by virtue of this Order, such sum or sums of money as they may think fit, not exceeding in the whole the sum of fifteen thousand pounds.

Commissioners Clauses Act.

11. The provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order.

Sinking fund.

12. The sum to be every year appropriated as a sinking fund is one fiftieth part of the principal money borrowed, such appropriation to commence from the expiration of one year after the undertakers are authorized to begin to demand and receive rates under this Order.

Receiver.

13. The mortgagees of the undertakers may enforce the payment of the arrears of interest, or the arrears of principal and interest, due to them, by the appointment of a receiver. The amount to authorize a requisition for a receiver is 1,000*l.*

Application of money.

14. All money borrowed under this Order shall be applied only for the purposes of the undertaking.

Application of rates.

15. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

1. In paying the expenses of and connected with the applying for, obtaining, and making of this Order.
2. In paying year by year the expenses of the maintenance, management, and regulation of the pier and works authorized by this Order.
3. In paying year by year the interest on any money borrowed under this Order, and in creating year by year the sinking fund required by this Order.
4. And as to the surplus of each year's revenue of the said pier and works, that is to say, so much of the rates as may remain after answering the three several purposes aforesaid, the same shall be applicable by the undertakers to and for their own use and benefit.

Meters and weighers.

16. The undertakers shall have the appointment of meters and weighers employed about the pier.

Power to transfer.

17. The undertakers may at any time, by deed, transfer or lease to the South Devon Railway Company, their lessees or assigns, or to any other company or corporation, their lessees or assigns, if and when the said Railway Company, their lessees or assigns, or any other company or corporation, their lessees or assigns, are lawfully empowered to take a transfer or lease under the present

present provision, or to any person or persons, all or any part of the works herein specified, and the right to receive all or any part of the rates authorized by this Order, but so that any deed of transfer or lease under this provision shall not have any effect unless it is made with the approval of the Board of Trade, testified in writing signed by a Secretary of the Board. *Exe Bight.*

18. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the pier and works authorized by this Order. Harbours and Passing Tolls Act.

19. Sections 16, 17, 18, 19, 49, and 50 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; provided, with respect to the said sections 49 and 50, that this exception shall not apply if any such transfer or lease as aforesaid is made to any Company or Corporation, and so long as such transfer or lease remains in operation. Harbours Clauses Act.

20. Nothing in this Order shall prejudice, diminish, alter, or take away any rates, tolls, or dues belonging or payable to the Mayor, Aldermen, and Burgesses of the City of Exeter within the limits of the Port of Exeter. Saving for Corporation of Exeter.

21. This Order may be cited as The Exe Bight Pier Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 23d day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of one hundred tons, per ton	0	4
For every vessel of the burden of one hundred tons, and under one hundred and fifty tons, per ton	0	5
For every vessel of the burden of one hundred and fifty tons and upwards, per ton	0	6
All lighters, for each trip, per ton	0	2
All other boats entirely open landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	3
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	2
Anchor stock, per foot run	0	1
Apples, per ton	1	0
Bark, per ton	0	6
Bedding, per bundle	0	2
Beef or pork, per cwt.	0	2
Ditto, per barrel	0	4
Biscuit or bread, per cwt.	0	2
Blubber, per tun of 252 gallons	1	0
Bones and bone dust, per ton	1	0

Exe Bight.

	s.	d.
Bottles, per gross	0	6
Bricks, per 1,000	1	0
Butter and lard, per barrel	0	3
Ditto, per firkin	0	2
Cables, iron or hempen, per ton	1	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	2
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	2	0
Calves, each	0	6
Horses, each	3	0
Pigs, each	0	3
Sheep, each	0	3
Chalk, per ton	0	6
Cheese, per cwt.	0	3
Chimney pots, each	0	1
Clay, per ton	0	4
Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	5	0
Gigs, carts, and other two-wheeled carriages, each	2	6
Hand-carts and perambulators, each	0	6
Coals, per ton	0	4
Copper, per ton	2	0
Cordage, per cwt.	0	2
Cork, per cwt.	0	3
Crystal, per box or package	0	4
Dogs, each	0	3
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	1
Ditto (in crates), per foot	0	1
Eggs, per box	0	2
Fish (dried and salted), per cwt.	0	1
Ditto, fresh (not enumerated), per cwt.	0	1
Flax, per ton	1	6
Flour and meal, per sack	0	2
Ditto, per barrel	0	1
Fruit, per cwt.	0	2
Furniture (household), per 5 cubic feet	0	3
Glass, per large crate	1	0
Ditto, per small ditto or case	0	9
Ditto, per box	0	4
Grain, corn, and seeds, per quarter	0	4
Groceries (not enumerated), per cwt.	0	4
Guano, per ton	1	0
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	3
Hardware, per ton	1	6
Hares and rabbits, per dozen	0	2
Hay, per ton	1	0
Ditto, per truss	0	1
Hemp, per ton	1	6
Herrings (fresh), per 1,000	0	2
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	1
Hops, per pocket	0	6

		s.	*d.*
	Iron:		
	Bar, bolt, rod, and shots, per ton	1	0
	Pig and old, per ton	0	9
	Manufactured, per ton	1	6
5	Kelp, per ton	1	6
	Lead, per ton	1	6
	Leather (tanned and dressed), per cwt.	0	3
	Lime, per ton	0	6
	Limestone, per ton	0	2
10	Machinery, per ton	2	0
	Manure, not enumerated, per ton	0	6
	Masts and spars, 10 inches in diameter and upwards, each	2	0
	Under 10 inches, each	1	0
	Meat (fresh), per cwt.	0	3
15	Musical instruments, per cube foot	0	1
	Nets, per 5 cube feet	0	2
	Oakum, per cwt.	0	1
	Oils, per tun	1	6
	Oilcake, per ton	1	0
20	Oranges and lemons, per box	0	3
	Ores, per ton	0	4
	Oysters, per bushel	0	1
	Paint, per cwt.	0	2
	Pitch and tar, per barrel	0	3
25	Potatoes, per cwt.	0	1
	Poultry and game, per dozen	0	3
	Rags and old rope, per ton	1	0
	Sails, per cwt.	0	3
	Salt, per ton	1	0
30	Sand, per ton	0	2
	Shrimp baskets, each	0	1
	Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	3
	Slates, per ton of 24 cubic feet	1	0
	Spirits (Foreign and British), per hogshead	1	0
35	Ditto ditto per gallon	0	1
	Stones, per ton of 16 cubic feet	1	0
	Steel, per ton	1	6
	Sugar, per cwt.	0	2
	Tallow, soap, and candles, per cwt.	0	2
40	Tea, per chest	0	6
	Tiles, per 1,000	1	0
	Tin and zinc, per ton	2	0
	Tobacco, per cwt.	0	4
	Turnips, per ton	0	4
45	Turpentine and varnish, per barrel	0	3
	Turtle, each	2	0
	Vegetables (not enumerated), per cwt.	0	2
	Vinegar, per hogshead	0	4
	Vitriol, per carboy	1	0
50	Water, per cask	0	1
	Wine, per hogshead	1	0
	Ditto, bottled, per dozen bottles	0	2
	Wood:		
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	0
55	Oak or wainscot, per load of 50 feet	1	6
	Firewood, per 216 cubic feet fathom	1	0
	Laths and lathwood, per fathom of 216 cubic feet	1	6
	Handspikes, per 120	2	0
	Oars, per 120	2	0

Exe Bight.

	s.	d.
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	2	6
Ditto, 2½ inches in diameter and under, per 120	2	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	5	0
Ditto, above 4 and under 6 inches in diameter, per 120	7	0
Spokes of wheels not exceeding 2 feet in length, per 120	1	0
Spokes of wheels exceeding 2 feet in length, per 120	1	6
Trenails, per 1,000	1	0
Wedges, per 1,000	1	0
Pipe staves and others in proportion, per 120	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	1	6
Wool, per cwt.	0	3
Yarn, per cwt.	0	1

All other Goods not particularly enumerated in the above Table.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any greater or less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged, but when there shall be a fraction of a penny 1*d.* to be chargeable.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2*nd. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*rd. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other articles of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	6

V.—Rates

V.—Rates on Passengers and Promenaders using the Pier.

	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	3
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	1
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding	0	3
For every perambulator	0	1
For every master of any vessel, boat, or wherry using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	10	0

VI.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	1
Over 28 lbs. and not exceeding 84 lbs.	0	2
Over 84 lbs. and not exceeding 140 lbs.	0	3
Over 140 lbs. and not exceeding 2 cwt.	0	4
And for every cwt. beyond	0	2
And for every 20 lbs. weight in addition	0	1

LYTHAM.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Lytham in the County of Lancaster.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Lytham Pier Company, Limited, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order containing powers for the construction of a pier at Lytham in the county of Lancaster for the use and convenience of passengers and promenaders, for the complete execution of the works, and the levying of rates and tolls: Preamble.

And whereas the estimated expenditure on the proposed works is six thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Lytham.

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :

The undertakers.

1. The Lytham Pier Company, Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purpose of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, or already acquired by them, or over and on which they have obtained or may obtain the rights and privileges requisite for that purpose, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

6. The works authorized by this Order comprise the following :

A pier on iron piles commencing at a point in the Esplanade opposite Dicconson Terrace, in front of the town of Lytham, and carried out seaward a distance not exceeding nine hundred feet ;

with all proper works, approaches, and other conveniences connected therewith.

Power to take rates according to schedule to this Order.

7. The Company may demand and receive in respect of the persons, vessels, and things in the schedule hereto described any sums not exceeding the rates in that schedule specified.

Restriction on use of pier.

8. Nothing in this Order shall entitle vessels or boats to ship or unship at the pier any sheep, cattle, or merchandise, or any things other than those in the schedule hereto described.

Company may contract with persons for the use of pier.

9. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms, and for such a period not exceeding one year, as may be agreed upon, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not

not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act. *Lytham.*

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment. Custom House officers exempt from rates.

11. This Order may be cited as The Lytham Pier Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 23d day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier, or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - -	0	0	6
For every person who shall use the pier for the purpose of walking, for exercise, pleasure, or any other purpose except for embarking or disembarking, for each and every time, any sum not exceeding -	0	0	2
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - - -	0	0	6
For every perambulator, not exceeding - - - -	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Lytham, and using the same pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	1	0	0

II.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs. - - - - - - -	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons - - per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons ,,	0	0	6
For every vessel of the burden of 50 tons and under 100 tons ,,	0	0	8
For every vessel of the burden of 100 tons and under 150 tons ,,	0	0	10
For every vessel of the burden of 150 tons and upwards - ,,	0	1	0

ARDGLASS.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour at Ardglass in the County of Down.

Preamble.
7 & 8 Geo. 4. c. lxxx.

Whereas by the Act of the session of the 7th and 8th years of King George the Fourth (chapter 80, local and personal), "for maintaining and improving "the harbour of Ardglass in the county of Down," herein-after referred to as the Act of 1827, it was provided to the effect that the rates specified in that Act and the schedule thereto should be levied, and that there should be such Commissioners for the execution of that Act as therein mentioned, and that all money received from the rates (after defraying the expense of collection) should be applied in the improvement, maintenance, and repair of the harbour:

And whereas for a long time past the pier and works constructed or improved under the authority of the Act of 1827 have been in a ruinous condition, and there has not been any body of Commissioners constituted under the said Act, and no rates have been levied thereunder, and the Act of 1827 has consequently become and is wholly inoperative:

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Ardglass Harbour made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to make a Provisional Order under those Acts, and thereby to empower the promoters to execute the works herein-after mentioned at the Port and Harbour of Ardglass aforesaid, and also to levy and recover harbour rates and duties not exceeding those mentioned in the Schedule hereunto annexed, and for the incorporation of a Company:

And whereas the estimated expenditure on the proposed works is twenty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of

of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order— *Ardglass.*

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Ardglass Harbour Company.

Incorporation of Company.

1. The following persons, namely, Godfrey Lyle, George Beauclerc, and John William Lambert Smith, and all other persons and corporations who have subscribed or may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the pier and works authorized by this Order, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of the Ardglass Harbour Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Ardglass Harbour Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Companies Clauses Act.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be the sum of twenty thousand pounds, in two thousand shares of ten pounds each.

Calls.

5. No call shall exceed two pounds ten shillings per share, or be made payable within three months of any previous call.

Power to create preference shares.

6. The Company may, by the resolution of a General Meeting specially convened, such resolution being adopted by not less than three-fifths in value of the Shareholders present in person or by proxy at the meeting, direct that the holders of any portion not exceeding one-third part of the shares then subscribed for or taken, shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company.

Borrowing.

7. The Company may borrow on mortgage or bond, at interest, from time to time such sums of money as may from time to time be required for the purposes of the works authorized by this order; but no money shall be so borrowed until the whole of the capital of twenty thousand pounds is subscribed for or taken, and until one-half thereof is paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for, and is held by subscribers or their assigns legally liable for the same (which certificate shall be sufficient evidence of the matters therein certified).

Receiver.

8. The mortgagees of the Company may enforce the payment of the arrears of interest, or the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be five hundred pounds.

Ardglass.

No interest or dividend on calls.

9. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any such shareholder such interest on any money advanced by him beyond the amount of the calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purposes of Order.

11. Every part of the money so raised shall be applied only for purposes authorized by this Order.

First general meeting.

12. The first General Meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order, at such time and place as the Directors determine.

Number of Directors.

13. The number of Directors shall not be more than seven or less than five.

Quorum of Directors.

14. The quorum of a meeting of Directors shall be three.

First Directors.

15. The three persons herein-before named may nominate the persons who shall, either conjointly with themselves or any of them, or otherwise, be the first Directors of the Company; and the Directors so nominated shall continue in office till the first General Meeting of the Company.

Qualification.

16. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of not less than twenty-five shares in the capital of the Company.

Remuneration.

17. The remuneration of the Directors shall from time to time be fixed by a General Meeting, and shall be divided among the Directors in such manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration divisible among the Directors shall be after the rate of two hundred and fifty pounds per annum.

Lands.

Power to take specified lands by agreement.

18. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Land for extraordinary purposes.

20. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole four acres.

Works.

Power to make works.

21. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make, execute, and maintain the works shown on the deposited plans.

22. The

Ardglass.

22. The works authorized by this Order comprise the following:

Description of works.

1. A pier of iron or stone to be constructed at or near the situation of the pier as formerly existing at Ardglass, being in the direction of due east, at a right angle to the in-and-out trend of the main inlet, and parallel to the seaward aspect, on the western shore of the inlet, called Ardglass Bay:

2. To dredge, deepen, and enlarge, and remove rocks out of the area within the line of the said formerly existing pier:

3. To erect and maintain a new lighthouse or beacon upon the pier-head of the proposed iron or stone pier:

together with all necessary quays, wharves, jetties, landing places, approaches, warehouses, offices, sheds, weighing machines, and other works and conveniences connected therewith respectively.

Rates.

Power to take rates according to Schedule to this Order.

23. The Company may demand and receive, in respect of the vessels, goods, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified; but nothing in this Order shall empower the Company to demand or receive any rates with respect to the existing Harbour until they are entitled to demand and receive rates with respect to the pier and works authorized by this Order.

Custom House officers exempt from rates.

24. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour, by land, and with their vessels, and otherwise, without payment.

Further exemption from rates.

25. Persons engaged in launching any vessel for the purpose of going to the assistance of a vessel in distress, or persons landing from a vessel in distress, or a single parcel carried by any passenger landing at or embarking from the Pier or Harbour, shall be exempt from the payment of rates under this Order.

General Provisions.

Meters and weighers.

26. The Company shall have the appointment of meters and weighers on and within the Pier and Harbour and property of the Company.

Confirmation of byelaws and provision for management of harbour.

27. Any byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, (for the purposes of which Act this Order shall be deemed the Special Act,) shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the Harbour Master, by virtue of section 52 of the last-mentioned Act, or of any other authority, or for the Company, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Exception of parts of Harbours Clauses Act.

28. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, and 19.

Ardglass.

Power to establish steam tugs, &c.

29. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Application of Part V. of 24 & 25 Vict. c. 47.

30. Part V. of The Harbour and Passing Tolls, &c. Act, 1861, shall apply to the Harbour of Ardglass, as altered under this Order.

Discontinuance of powers of Act of 1827.

31. This Order shall be of full force and effect, the Act of 1827 notwithstanding, and from the commencement of the operation of this Order no works shall be executed, or Commissioners constituted, or rates levied, under the Act of 1827.

Short title.

32. This Order may be cited as The Ardglass Harbour Order, 1864.

Board of Trade, Whitehall.
Dated this 24th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE referred to in the foregoing Order.

I.—Rates on Goods shipped or unshipped, received or delivered, within or at the existing Harbour, or at the new Works.

			s.	d.
Acid water, acid vegetable, or mineral,		per pipe	1	0
Ditto	ditto	per hogshead	0	6
Ditto	ditto	per firkin	0	3
Ditto	ditto	per jar	0	2
Ditto	ditto	per cwt.	0	3
Acorns, per ton of forty bushels			1	0
Alabaster, rough, per ton			1	0
Ditto, worked, per cwt.			1	0
Ale, beer, or porter,		per butt or pipe	1	0
Ditto		per hogshead	0	6
Ditto		per barrel	0	3
Ditto		per kilderkin	0	1½
Ditto		in bottles, per dozen	0	1
Ale, bottled, per barrel bulk			0	3
Alkanet root, per cwt.			0	4
Almonds, per cwt.			0	3
Aloes, per cwt.			0	4
Alum, per cwt.			0	2
Amber, per cwt.			0	4
Ambergris, per cwt.			1	0
Anchors, per cwt.			0	2

Ardglass.

		s.	d.
	Anchovies, per barrel	0	2
	Angelica, per cwt.	0	3
	Animals, stuffed, each	0	6
5	Annatto, per cwt.	0	4
	Anniseeds, per cwt.	0	3
	Antimony, per cwt.	0	3
	Anvils, per cwt.	0	1
	Apples, in bulk, per ton	0	6
10	Arrowroot, in powder, per cwt.	0	3
	Arsenic, per cwt.	1	0
	Ashes, barilla, per cwt.	0	1
	Pearl and pot, per cwt.	0	2
	Black, per cwt.	0	1
15	Bleaching, per cwt.	0	2
	Common Irish, per cwt.	0	1
	Soda, per cwt.	0	1
	Asphaltum, per cwt.	0	1
	Bacon or pork, per cwt.	0	2
20	Bagging, per cwt.	0	4
	Ballast, per ton registered measurement of vessel	0	1
	Bark, tanner's, chopped, per ton	0	6
	Ditto, rinds, not ground, per ton	0	6
	Augustina, per cwt.	0	4
25	Birch and larch, per ton	0	6
	Quercitron, per ton	2	0
	Sassafras, per cwt.	0	4
	Winteranus, per cwt.	0	4
	Baskets, per dozen	0	1
30	Basket rods, per 1,000	0	3
	Bass rope, per cwt.	0	2
	Bedposts, mahogany, per set	0	6
	Others, per set	0	4
	Beef or pork, per tierce	0	6
35	Ditto, per barrel	0	4
	Ditto, per half barrel and smaller package	0	2
	Ditto, per ton	1	4
	Beer, spruce, per barrel of 32 gallons	0	8
	Bell metal, per cwt.	0	2
40	Bellows, smiths, each	0	6
	Bellows, common, per dozen	0	6
	Berries, bay, per cwt.	0	1
	Juniper, per cwt.	0	1
	Yellow, per cwt.	0	1
45	Biscuit or bread, per cwt.	0	2
	Blacking, per cwt.	0	2
	Blackjack, per ton	0	4
	Blocks, heel, per gross	0	2
	Last, per dozen	0	1
50	Ship, per dozen	0	1
	Blubber, per cwt.	0	1
	Blue, per cwt.	0	2
	Bobbins, per cask	1	0
	Bones, per ton	0	6
55	Bone dust, per quarter	0	2
	Books, per cwt.	0	4
	Borax, per cwt.	0	2
	Bottles, loose, empty, per gross	0	2
	In baskets or carboys, full	0	6

Ardglass.

	s.	d.
Bowls of wood, per dozen	0	2
Boxes, iron, for wheels, per cwt.	0	1
Bran, per ton	1	0
Brandy, per hogshead	1	6
Brass, new, per cwt.	0	2
Old, per cwt.	0	1
Bricks, common, per 1,000	1	0
Fire, per 1,000	2	0
Scouring, per 1,000	1	6
Slabjacks, per dozen	0	1½
Brimstone, per cwt.	0	1
Bristles, per 12 lbs.	0	1
Brooms, birch, per gross	0	2
Brooms and brush handles, per gross	0	6
Brush heads and stocks, per 100	0	1
Brushes, hair, rushes, and whalebone, per dozen	0	2
Bugles and beads, per cwt.	0	3
Bullion, per package	1	0
Bullrushes, per bundle	0	1
Butter, per cask	0	3
Ditto, per firkin	0	1½
Ditto, per pot	0	1
Ditto, per barrel	0	4
Cables, per cwt.	0	2
Cakes, linseed or rape, per cwt.	0	1
Calamine, per cwt.	0	1
Calaminaris, lapis, per cwt.	0	1
Calves velves, per cwt.	0	3
Camphor, per cwt.	0	6
Candles, tallow, chest of 14 dozen	0	6
Ditto, half chest	0	3
Ditto, wax, per 12 lbs.	0	1
Canella alba, per cwt.	0	4
Canes, per bundle	0	6
Cantharides, per cwt.	1	0
Canvas, per bolt	0	1
Caoutchouc, per cwt.	0	4
Capers, per cwt.	0	6
Capillaire, per 100 gallons	1	0
Carboys, empty, each	0	2
Cards, wool, per dozen	0	1
Carriages or coaches, each	10	0
For guns, each	1	6
Gigs, each	5	0
Carts, each	2	6
Hand, each	1	0
Casks, empty, not returned, each	0	2
Cattle:		
Asses and mules, each	1	0
Bulls, each	2	6
Cows and oxen, each	1	6
Calves and lambs, each	0	6
Horses, each	2	0
Pigs or sheep, each	0	4
Sucking pigs, each	0	3
Cassia buds, per cwt.	0	6
Fistula, per cwt.	0	4
Caviare, per cwt.	1	0

		s.	d.	*Ardglass.*
	Cement, per cwt.	0	1	
	Chairs, not mahogany, per dozen	1	6	
	Mahogany, per dozen	2	6	
5	Chains, per cwt.	0	2	
	Chalk, per ton	0	2	
	Charcoal, per pack	0	1	
	Cheese, per cwt.	0	6	
	Chemicals, per barrel bulk	2	0	
10	Chesnuts, per bushel	0	1	
	Chimney pots, earthenware, each	0	1	
	China, per hogshead	1	6	
	Ditto, per tierce	1	0	
	Chirt stones, per ton	0	6	
15	Chocolate, per cwt.	0	3	
	Cider or perry, in bottles, per dozen	0	1	
	Ditto, per hogshead	0	6	
	Cinnabar, per cwt.	0	9	
	Cinnamon, per cwt.	1	0	
20	Clay, pipe and potter's, per ton	0	2	
	China, per ton	0	3	
	Clocks, per dozen	2	0	
	Wood, per dozen	1	0	
	Clog soles, per gross	0	6	
25	Cloth, packs not exceeding 1 cwt.	0	4	
	Cloths, linen, woollen, bale, pack, or truss, per cwt.	0	4	
	Cloths, linen, woollen, or cotton, in boxes, per foot	0	1	
	Cloves, per cwt.	1	0	
	Coals (besides bushelage), per ton	0	2	
30	Coke, per ton	0	4	
	Cobalt, per ton	1	0	
	Ore, per ton	0	4	
	Cocoa, per cwt.	0	3	
	Cocoa nuts, per 100	0	2	
35	Coculus indicus, per cwt.	0	4	
	Coffee, per cwt.	0	3	
	Colouring for porter, per barrel of 36 gallons	0	6	
	Columbo root, per 100	0	4	
	Copper, per cwt.	0	1	
40	Ore, per ton	0	4	
	Furnaces, per twenty gallons	0	2	
	Copperas, barrel or bag, per cwt.	2	0	
	Coral, per cwt.	2	0	
	Cordage, per cwt.	0	2	
45	Cordials, per case of 1 dozen	0	1	
	Ditto, per hogshead	1	0	
	Cork, per cwt.	0	3	
	Corks, per ten gross	0	2	
	Corn, viz.:			
50	Wheat, per quarter	0	2	
	Barley, per quarter	0	1	
	Oats, per quarter	0	1	
	Bere and bigg, per quarter	0	2	
	Barley meal, per bag	0	2	
55	Indian corn, per quarter	0	1	
	Ditto meal, per bag	0	1	
	Oatmeal, per bag	0	1	
	Beans and peas, per quarter	0	2	
	Rye, per quarter	0	1	

Ardglass.

	s.	d.
Cotton, raw, per cwt.	0	3
Ditto, manufactured, per cwt.	0	6
Cradles, each	0	2
Cranberries, per 5 gallons	0	1
Cream of tartar, per cwt.	0	4
Crease, earthenware, per dozen	0	0½
Crystal, per box or package	0	6
Ditto, per barrel bulk	0	2
Cubebs, per cwt.	0	6
Culm, per ton	0	3
Currants, per butt	1	6
Dates, per cwt.	0	3
Dissolved bones and other artificial manures, per ton	0	8
Dogs, and other animals not enumerated, each	0	6
Down, eider, per cwt.	1	6
Drugs, in casks, hampers, or boxes, at per foot	0	1
Ditto, per barrel bulk	0	3
Dyer's stuff, per cwt.	0	4
Dyes, per cwt.	1	0
Dye wood, per ton	1	4
Earth, black, per ton	1	0
Brown, per ton	1	0
Earth, Fullers, per ton	1	0
Red, per ton	1	0
Yellow, per ton	1	0
Earthenware, coarse, in bulk, per potter's dozen	0	3
In crates, at per foot	0	0¼
Eggs, per gross of 12 dozen	0	1
Emery, per cwt.	0	2
Stones, per cwt.	0	1
Empty bags and sacks (not returned), per cwt.	0	2
Epsom salts, per cwt.	0	2
Essence of lemons and limes, per 100 pounds	2	0
Essential oils, per cwt.	0	9
Euphorbium, per cwt.	0	4
Feathers, per cwt.	0	6
Felt, per cwt.	0	1
Figs, per cwt.	0	2
Filtering stones, each	0	1
Fish, fresh, per cwt.	0	1
Pilchards, cured, per hogshead	0	3
Herrings, cured, per barrel	0	4
Other cured fish (not before specified), per cwt.	0	1
Flag stones, rough, per 100 feet	1	2
Ditto, worked, per 100 feet	2	0
Flax (rough), per ton	1	8
Ditto, per dozen hanks	0	1
Flock, per bag	0	3
Floor cloth, per bag	0	4
Flour, per sack	0	2
Ditto, per barrel	0	1½
Flower roots, plants, or trees, in packages, at per foot	0	1
Free stones, per ton	1	2
Fruit, green, per cwt.	0	1
Ditto, dry, per cwt.	0	2
Fuel, patent, per ton	0	4
Furniture, household, cases, at per cubic foot	0	1
Galbanum, per cwt.	0	4

Ardglass.

		s.	d.
	Gallangal, per cwt.	0	4
	Galls, per cwt.	0	4
	Gates, iron or wood, each	0	2
5	Gentian root, per cwt.	0	4
	Ginger, per cwt.	0	3
	Gingerbread, per box	0	4
	Ginseng, per cwt.	0	4
	Glass, per crib, slide, or case	0	6
10	Glauber salts, per cwt.	0	2
	Gloves, per dozen pair	0	1
	Glue, per cwt.	0	1
	Granite, per ton	0	2
	Grapes, per barrel or per jar	0	2
15	Ditto, per half barrel or box	0	1
	Grates or stoves, per foot	0	2
	Gravel or sand, per ton	0	2
	Grease or greaves, per cwt.	0	1
	Groats, per cwt.	0	2
20	Guano, per ton	1	0
	Gums, per cwt.	0	4
	Gunpowder, per 100 pounds	0	3
	Gypsum, per ton	0	2
	Haberdashery and hosiery, in bales, per cwt.	0	4
25	Ditto, in boxes, per foot	0	1
	Hair, per cwt.	0	3
	Hams, per cwt.	0	2
	Hanks, for sails, per dozen	0	0½
	Hardware, per cwt.	0	2
30	Hares and rabbits, per dozen	0	2
	Any less quantity	0	1
	Harrows, each	0	4
	Hats, per box, per foot	0	1
	Hay rakes, per dozen	0	2
35	Hay, per ton	1	6
	Hemp, per ton	1	8
	Herrings, fresh, per cran	0	1
	Ditto, cured, per barrel	0	3
	Hide roundings, or glue pieces, per cwt.	0	2½
40	Hides, wet or dry, for every 100 in number	3	6
	Ditto, fleshings, per cwt.	0	2½
	Honey, per gallon	0	1
	Hoofs, per cwt.	0	1
	Hoops, for mast, or white hoops, per dozen	0	1
45	Ditto, per load	1	0
	Hops, per bag	1	0
	Ditto, per pocket	0	6
	Ditto, per end	0	3
	Horns, per 100	0	4
50	Household furniture, new, per barrel bulk	0	1
	Ditto, belonging to parties changing their residence only, per 10 barrels bulk	0	6
	Hurdles, per dozen	0	2
	Husbandry utensils, per ton	1	4
55	Ditto, per barrel bulk	0	2
	Ice, per ton	0	6
	Indigo, per cwt.	1	6
	Iron, pig, per ton	0	6
	Cast, per ton	0	8

Ardglass.

	s.	d.
Iron—*continued.*		
Bar, bolt, and wrought, per ton	1	0
Hoops, per cwt.	0	1
Horse shoes, per cwt.	0	1
Ploughshares, per cwt.	0	1
Stamp heads, per ton	1	0
Furnaces, at per 20 gallons	0	1
(Cast) hollow ware, per cwt.	0	3
Ore, per ton	0	4
Wire and nail rods, per cwt.	0	1
Irons, baker's and pudding pans, per cwt.	0	1
Patten, per gross	0	6
Isinglass, per cwt.	0	6
Ivory, per cwt.	1	0
Black, per cwt.	0	1
Jack screws, per pair	0	6
or fishing lines, per dozen	0	1
Junk or old rope, per cwt.	0	1
Lac, gum, stick, seed, and shell, per cwt.	0	4
Ladles, per gross	0	6
Lamp black, per cwt.	0	4
Lanthorns, horn or glass, per dozen	0	1
Lard, per cwt.	0	2
Lead ore, per ton	0	4
Pigs of, per ton	1	0
Sheet, per cwt.	0	1
Leather, tanned, per cwt.	0	2
Wrought, per cwt.	0	3
Lemons, per chest	0	4
Ditto, per box	0	2
Lemon, lime, and orange juice, per hogshead	1	0
Lime, burnt, per ton	0	6
Limestone, per ton	0	2
Linen or woollen rags, per cwt.	0	1
Cloth, per cwt.	0	4
Lint cloth, not in bales, per piece	0	3
Liquor, in bottles, per case or box	0	6
Loam or moulding sand, per ton	0	3
Logwood, logwood chips, per cwt.	0	3
Maccaroni, per cwt.	0	4
Mace, per cwt.	1	0
Machinery, steam and other iron engines, and part of the same, per cwt.	0	1
Foundation plates, bobs, and pumps for engines, per cwt.	0	1
Wood and iron mixed, per foot	0	1
Madder and madder roots, per cwt.	0	4
Malt, per quarter	0	2
Manganese, per ton	0	4
Manure, not enumerated, per ton	0	2
Marble, rough, per ton	1	0
Ditto, worked, per cwt.	1	0
Masts or spars, each	0	6
Mats and matting, per dozen	0	1
Maunds or hampers, empty imported, per dozen	0	1
Meal, per bag of 280 lbs.	0	2
Meat, per cwt.	0	2
Melting pots, per dozen	0	1
Milk, per gallon	0	0½
Millboards, per 120 boards	0	6
Millinery, per foot	0	1

		s.	*d.*
	Mineral and aërated waters, in bottles, per dozen	0	1
	Mops and brushes, per dozen	0	3
	Mother-of-pearl shell, per cwt.	0	4
5	Mundic, per ton	0	2
	Munjeet, per cwt.	0	4
	Muriate of lime, potash, and soda, each, per cwt.	0	1
	Musical instruments, per foot	0	1
	Muskets, per dozen	0	6
10	Mustard, per firkin of 72 lbs.	0	3
	Ditto, per firkin of 36 lbs.	0	2
	Nails, per cwt.	0	1
	Natron, per ton	1	8
	Nests of trunks, per foot	0	1
15	Nutmegs, per cwt.	1	0
	Nuts, per Winchester bushel	0	1
	Nux vomica, per cwt.	0	4
	Oakum, per cwt.	0	1
	Oars, per dozen	0	3
20	Ochree, per cwt.	0	1
	Oil, large cans for lighthouses, containing 30 gallons, and so in proportion	1	0
	Castor, per cwt.	0	4
	Sperm, per hogshead	1	0
25	Pilchard, per ton	1	0
	Sweet and lamp, and all oils not enumerated, per hogshead	0	10
	In flasks, per chest	0	4
	Ditto, per half chest	0	2
	Oil cake, per ton	1	0
30	Olives, per barrel	0	2
	Ditto, per jar	0	1
	Onions, per cwt.	0	1
	Oranges, per box	0	2
	Ditto, per chest	0	4
35	Orange and lemon peel, and buds, per cwt.	0	3
	Orchilla weed, per cwt.	0	4
	Ores :		
	Copper, lead, and other ores, per ton	0	8
	Ox bows, per dozen	0	2
40	Oysters, per ton	1	8
	Paintings, pictures, and pier glasses, per foot	0	3
	Paints and painter's colours, per cwt.	0	2
	Pans, warming, per dozen	0	3
	Brass, per cwt.	0	6
45	Paper, stationer's, per cwt.	0	4
	Common, per cwt.	0	$1\frac{1}{2}$
	Pattens, wood, per gross	0	6
	Peats, per ton	0	3
	Pepper, per cwt.	0	3
50	Petroleum, per ton	5	0
	Pewter, per cwt.	0	2
	Phials, in packages, per foot	0	1
	Pick hilts, per gross	1	0
	Pickles, per 12 bottles	0	1
55	Pimento, per bag of 100 lb.	0	3
	Pins, per cwt.	0	4
	Pipes, for smoking, per hogshead	1	0
	Ditto, per barrel	0	6
	Earthenware, for draining, per ton	1	0

Ardglass.

	s.	d.
Plaister of Paris, per cwt.	0	1
Ploughs, each	0	6
Plums, per cwt.	0	3
Potash, per cwt.	0	1
Potatoes, per ton	1	0
Poultry, including pigeons, game, &c. per dozen	0	1
Any less quantity	0	0½
Powder hair, or cosmetic, per cwt.	1	0
Preserves, per cwt.	0	4
Prunes, per cwt.	0	2
Pumice stone, per ton	0	1
Puncheons, empty, and pipes not returned, each	0	2
Quern stones, each	0	6
Quicksilver, per case or package	0	6
Quills, stationer's, per 1,000	0	2
Miners, per cwt.	0	9
Rags, linen, per ton	1	4
Other rags, old ropes, and the like, per ton	0	10
Raisins and figs, per cwt.	0	2
Rape seed, per quarter	0	4
Rice, per tierce of 4 cwt.	0	8
Rope coil, per cwt.	0	2
Rope yarn, per cwt.	0	1
Rum, per puncheon	2	0
Sago, per cwt.	0	2
Sails, per cwt.	0	4
Sal gem rock salt, per ton	0	6
Salt, per ton	0	10
Fine, per ton	0	4
Coarse, for manure or curing fish, per ton	0	3
Saltpetre, per cwt.	0	2
Sand or gravel, per ton	0	2
Scoops, boat, per dozen	0	1
Fish, per dozen	0	2
Malt, per dozen	0	3
Scuttles, coal, copper, or tin plate, per dozen	0	3
Scythe stones, per 100	0	3
Scythes, per dozen	0	2
Seed, garden or agricultural grass seeds, per cwt.	0	3
Segars, per cwt.	0	6
Shakes, not returned, per hogshead, and so in proportion	0	2
Shot, bird, per cwt.	0	3
Shovel handles, per dozen	0	1
Shumac, per cwt.	0	2
Sieves, per dozen	0	3
Silk, raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
Manufactured, the package, per foot	0	2
Skins: Badger, bear, beaver, deer, elk, ermine, fisher, fox, leopard, lion, martin, otter, panther, seal, tiger, per score	1	0
Horse, per score	0	3
Calf, per score	0	3
Sheep and kid, per dozen	0	3
Cat, chincilli, mink, racoon, seal (hair), per score	0	6
Goat, fitch, musk-quash, neutria, swan, per score	0	3
Coney, hare, mole, per score	0	1
Slabs, marble, per ton	1	0

		s.	d.	*Ardglass.*
	Slates, writing, per gross	0	3	
	Rags, per dozen	0	0½	
	Scantle, per 1,000	0	3	
5	Common helling, per 1,000	0	2	
	Slate, earth, or tombstones, per foot	0	0¼	
	Snuff, per cwt.	0	4	
	Soap, per cwt.	0	2	
	Soda, sal, per ton	1	0	
10	Soda water, per dozen	0	2	
	Solder and spelter, per cwt.	0	1½	
	Spades, garden, per dozen	0	4	
	Spermaceti, per cwt.	0	8	
	Spirits, Foreign and British, per hogshead of 56 gallons	0	2	
15	Spokes, for wheels, per dozen	0	2	
	Naves for wheels, per dozen	0	6	
	Sponge, per cwt.	1	6	
	Ditto, per package under quarter of a cwt.	0	6	
	Stamp lifters, per dozen	0	2	
20	Starch, per cwt.	0	2	
	Steel, per cwt.	0	6	
	Stone, Caen, for millstones, per 100	3	0	
	Stones, grinding, per cwt.	0	1	
	Ditto, not enumerated, per ton	1	0	
25	Straw, per ton	0	6	
	Staw bonnets in bales, cases or casks, or otherwise, per foot	0	1	
	Plait, in bales, cases or casks, or otherwise, per foot	0	2	
	Succades and sweetmeats, per cwt.	0	4	
	Sugar, soft, per cwt.	0	1	
30	Refined, in barrels or bags, per cwt.	0	2	
	Candy, per box	0	2	
	Refined, per hogshead	1	4	
	Sulphur, per cwt.	0	3	
	Talc, per cwt.	0	4	
35	Tallow, per cwt.	0	2	
	Tanners poles, per cwt.	0	6	
	Tapioca, per cwt.	0	3	
	Tar, pitch, or rosin, per barrel	0	2	
	Tarras, per cwt.	0	1	
40	Tea, per chest	1	6	
	Terra japonica, per ton	2	0	
	Tessera, per barrel	0	2	
	Threshing machines, each	5	0	
	Thrumbs, per cwt.	0	4	
45	Tiles, pan, per score	0	1	
	Paving, per score	0	1	
	Malt kilns, per score	0	1	
	Timber not enumerated, per load of 55 feet	0	6	
	Timber:			
50	Staves, pipe, per 120	0	6	
	Hogshead per 120	0	2	
	Split or sawn staves, per 1,000	1	0	
	Mast pieces, under 12 inches each	0	3	
	Ufers, under 24 feet, per 100	1	0	
55	above 24 feet, per 100	1	6	
	Wainscot boards, per 100	1	0	
	Tin, in blocks, ingots, or barrels, per ton	1	0	
	Ore, per ton	0	8	
	Plate, per box	0	2	

Ardglass.

	s.	d.
Tobacco, per cwt.	0	3
Tongues, per dozen	0	1
Tortoiseshell, per cwt.	1	0
Tow, per ton	1	8
Toys, in boxes, per foot	0	1
Trawl beams, each	0	4
Treacle or molasses, per puncheon	0	10
Ditto, per half puncheon	0	5
Ditto, per small cask	0	3
Trees for saddles, per dozen	0	3
Treenails or trunnels under 2 feet in length, per 1,000	0	6
Ditto, exceeding 2 feet in length, per 1,000	1	0
Trenchers, per gross	0	2
Trucks, each	0	3
Trundle sticks, per 1,000	0	3
Turnips or mangold, per ton	1	0
Turpentine, per cwt.	0	6
Twine or netting, per cwt.	0	3
Types, per cwt.	0	6
Valonia, per ton	1	0
Varnish, per barrel	0	6
Venice turpentine, per cwt.	0	4
Vegetables, shipped, per cwt.	0	1
Verdigris, per cwt.	0	1
Vermicelli, per cwt.	0	6
Vinegar, per pipe	2	0
Ditto, per hogshead	1	0
Ditto, per firkin	0	6
Vitriol, per carboy	0	6
Waste:		
Brazier's, button maker's, furrier's, soaper's, tanner's, vitriol, sugar baker's, per cwt.	0	1
Wax, per cwt.	0	2
Whalebone, fins, per cwt.	0	4
Ditto, per 12 lbs.	0	2
Wheelbarrows, each	0	4
Whetstones, per gross	0	2
Whipsticks, per bundle	0	1
Whiskey, per puncheon	2	0
Whiting, per cwt.	0	1
Wick yarn, pack, per cwt.	0	3
Wine, foreign, per pipe, all sorts	2	6
Wine, British, per pipe, all sorts	1	6
Or strong waters, per hogshead	1	0
Ditto, per barrel	0	6
British, per hogshead	0	9
Ditto, per firkin	0	3
And liquors, in bottles, per dozen	0	2
Winnowing machines, each	2	6
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	0	10
Oak or wainscoat, per load of 50 feet	1	0
Firewood, per fathom	0	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspokes, per 120	0	10
Spars under 22 feet in length, above 2¼ and under 4 inches diameter, per 120	2	6

Ardglass.

		s.	*d.*
	Wood—*continued.*		
	Spars, 2½ inches in diameter and under, per 120	1	4
	Spars, 22 feet in length and upwards and not exceeding 4 inches in diameter per 120	6	6
	Spars of all lengths above 4 and under 6 inches in diameter, per 120	12	0
	Wedges, per 1,000	1	0
	Lignum vitæ, fustic, logwood, mahogany, rosewood, and furniture wood, per ton	1	4
	Woollen manufactures, at per cwt.	0	8
	Wool, packs of British, per cwt.	0	3
	Spanish, and all other, per cwt.	0	6
	Yarn, worsted, per cwt.	0	2
	Yams, per package	0	2
	Zaffres, per cwt.	0	4
	Zedoary, per cwt.	0	4
	Zinc, per ton	1	4

All other Goods not particularly enumerated above.

	Light goods, per barrel bulk	0	2
	Heavy goods, per ton	1	4
	In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.		
	Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than 2½ cwt. then 2½ cwt. to be rated as a barrel bulk.		

Luggage.

	For any portmanteau, trunk, parcel, or other article of passengers luggage, per package	0	2

II.—Rates for the Use of Cranes, Weighing Machines, Sheds, and Works.

1*st. Rates of Craneage.*

	All goods or packages not exceeding one ton	0	3
	Exceeding one ton, and not exceeding two tons	0	4
	Exceeding two tons, and not exceeding three tons	0	6
	Exceeding three tons, and not exceeding four tons	0	8
	Exceeding four tons, and not exceeding five tons	0	10
	Exceeding five tons, and not exceeding six tons	1	0
	Exceeding six tons, and not exceeding seven tons	1	2
	Exceeding seven tons, and not exceeding eight tons	1	4
	Exceeding eight tons, and not exceeding nine tons	1	8
	Exceeding nine tons, and not exceeding ten tons	2	0
	Exceeding ten tons	3	0

2*nd. Weighing Machines.*

For goods weighed, 1*d.* for each ton, or part of a ton.

Ardglass.

3rd. Shed Dues.

For each ton of goods of eight barrels bulk, or for each ton of goods of 20 cwt., which shall remain in the sheds or on the quays of the Harbour for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

Luggage.

	s.	*d.*
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day - - - per package	0	2

III.—Rates on Vessels entering or using the existing Harbour or the new Works.

For every vessel under the burden of 15 tons - - per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons - per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons per ton	0	10
For every vessel of the burden of 150 tons and upwards - per ton	1	0
All lighters for any vessel in the roads shall be exempt from rates; but if the vessel do not use the Harbour or pier, every lighter shall pay for each trip - - - - - - per ton	0	2
All boats entirely open, landing or taking on board goods or dried, or salted fish - - - - - - - - each	0	6
All drave or large boats using the pier with fresh fish - - each	0	4
For every vessel which shall remain in the harbour more than one month continuously, there shall be paid for every month or part of a month during which the same shall remain in the harbour after the first month the further sum per register ton of - - - -	0	0½

Exemptions.

(1.) Yachts, pleasure boats, and boats entirely open:
(2.) Vessels using the harbour solely as a Harbour of Refuge, and remaining therein not more than 60 hours continuously.

FILEY.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Harbour at Filey in the County of York.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Filey Fishery Harbour in the county of York made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a harbour at Filey in the county of York, and praying their Lordships to approve the project thus submitted, and to grant a Provisional Order for its execution, containing all proper powers and privileges for the complete execution of the works, and for the levying of rates, and for the incorporation of a Company for the undertaking:

And

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And whereas the estimated expenditure on the proposed works is one hundred thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Filey Fishery Harbour Company.

Incorporation of Company.

1. The following persons, namely, Sir John Mark Frederic Smith, Knight, a General in Her Majesty's Army, John Unett, Esquire, Henry Bentley, Esquire, and William Smithson Cortis, Esquire, and all other persons and corporations who have subscribed or shall subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making, maintaining, and regulating the harbour and works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of The Filey Fishery Harbour Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Filey Fishery Harbour Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Clauses Acts.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be one hundred thousand pounds in ten thousand shares of ten pounds each.

Calls.

5. No call shall exceed two pounds ten shillings a share, or be made payable within three months of a previous call.

Power to create preference shares.

6. The Company, with the sanction of at least three fifths in value of the votes of the shareholders present in person or by proxy at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares not exceeding one third part of the capital dividend at a rate not exceeding five pounds per centum per annum in priority to the dividend on the other shares of the capital.

Borrowing on mortgage.

7. The Company, from time to time, may borrow on mortgage at interest any sum or sums of money not exceeding in the whole fifty thousand pounds,

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but no money shall be so borrowed until the whole of the capital of one hundred thousand pounds is subscribed for or taken, and one half thereof is paid up, and the Company satisfy the Justice who certifies under section forty of The Companies Clauses Consolidation Act, 1845, before he so certifies, that all the capital has been subscribed for or taken bonâ fide, and is held by registered holders thereof legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

8. The mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages, by the appointment of a receiver, and the amount to authorize a requisition for a receiver is ten thousand pounds.

No interest or dividend on calls.

9. The Company shall not, out of any money raised by calls or borrowing pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of calls actually made as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

10. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purpose of Order.

11. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First general meeting.

12. The first general meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine.

Number of directors.

13. The number of directors shall not be more than nine or less than five.

Quorum of directors.

14. The quorum of a meeting of directors shall be three.

First directors.

15. General Sir John Mark Frederic Smith, Knight, John Unett, Henry Bentley, and William Smithson Cortis, with such other shareholders (if any) as they add to their number, shall be the first directors; and the first directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and directors shall be elected by the meeting, the retiring directors being re-eligible.

Qualification.

16. The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of shares in the capital of the Company to the aggregate nominal amount of at least two hundred and fifty pounds.

Remuneration.

17. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors as they determine.

Lands.

Power to take lands by agreement.

18. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all such parts of the lands shown on the deposited plans as they think requisite for the purposes of the proposed harbour and works, and the conveniences connected therewith.

Incorporation of Lands Clauses Acts.

19. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

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Works.

Power to make works.

20. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the harbour and works authorized by this Order.

Description of works authorized.

21. The works authorized by this Order comprise the following:

(1.) A quay or pier commencing about seventy yards southward of a point on the western shore of Filey Bay, called The North Cobble Landing, and extending seawards one thousand one hundred and thirty yards or thereabouts in an easterly direction;

(2.) A breakwater commencing at or near to the eastern extremity of Carr Nase Point on the northern side of Filey Bay, and extending along Filey Brigg in an easterly direction for a distance of three hundred yards or thereabouts, and thence in a south-easterly direction along the Spittals for a distance of two hundred and ninety yards or thereabouts;

with all piers, jetties, landing-places, breakwaters, roads, approaches, embankments, and other works and conveniences connected with such quay or pier or breakwater for the reception and accommodation of vessels and their cargoes, and for the embarking and landing of persons, fish, animals, and goods.

Limits of the harbour.

22. The limits of the harbour shall include the lands, foreshore, and bed of the sea contained within the following lines:

First. An imaginary line commencing on the line of high-water mark of ordinary spring tides on the shore of the township of Filey, at a point thereon distant four hundred yards southward of the South Cobble Landing, and drawn thence eastwardly at that distance from the proposed pier until it meets the line next herein-after described:

Second. An imaginary line commencing on the line of high-water mark of ordinary spring tides on the shore of the township of Filey at a point thereon north-westward of and at a distance of seven hundred feet or thereabouts from Carr Naze Point, at the commencement of the proposed breakwater, and drawn thence south-eastwardly through a point on the shore of Filey Brigg at a distance of one thousand feet or thereabouts from and about east and by north from Carr Naze Point, and thence at a distance of one hundred yards from the south-eastern extremity of the proposed breakwater until the line now describing meets the line first described:

Third. The line of high-water mark of ordinary spring tides between the western commencement of the first described line and the north-western commencement of the secondly described line.

Rates.

Power to take rates in schedule.

23. The Company may demand and take in respect of the vessels, persons, fish, animals, and goods in the schedule hereto specified any sums not exceeding the rates in that schedule specified.

Extra rates for vessels staying in harbour.

24. The Company by a byelaw may fix reasonable periods, not less than fourteen days each, after which vessels shall not be permitted to remain in the

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harbour without payment of such extra tonnage rates as the Company think reasonable, not exceeding the original rate for all or any part of every period in excess of the first period.

Pass tickets for use of pier.

25. The Company may grant to passengers and others pass tickets for the use of the pier on such terms, and for such periods not exceeding one year, as are agreed upon.

Pass tickets not transferable.

26. A pass ticket granted by the Company shall not be transferable, and shall not be used by any person other than the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, recoverable and applicable as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

Exemption of Custom House officers from rates.

27. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress into, through, and out of the harbour and works by land, and with their vessels and otherwise, without payment.

Application of rates.

28. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

(1.) To the maintenance of the works authorized by this Order.

(2.) In payment to an extent not exceeding one fifteenth part of the rates of any rent or rentcharge payable in respect of any lands acquired by the Company under this Order.

(3.) In payment of the interest accruing on money borrowed under the authority of this Order.

(4.) For the other purposes of the Company, including repayment of the principal of the money so borrowed when due and payable.

General Provisions.

Steam engines, lighters, &c.

29. The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Life boats, tide gauges, &c.

30. Notwithstanding anything in The Harbours, Docks, and Piers Clauses Act, 1847, it shall not be necessary for the Company to provide any life boat, mortar, rockets, tide gauge, weather gauge, or barometer, except on a requisition in that behalf by the Board of Trade.

Meters and weighers.

31. The Company shall have the appointment of meters and weighers within the limits of the harbour, and the works and lands of the Company adjoining or near to the harbour.

Limits of harbour master's authority.

32. The limits within which the lawful authority of the harbour master for the regulation of the harbour may be exercised shall be the harbour, and the works and lands of the Company adjoining and near to the harbour.

33. The

33. The Company shall be a pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on pilotage authorities. Pilotage.

34. This Order may be cited as The Filey Fishery Harbour Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 26th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels and Boats using the Harbour or Piers or Works of the Company.

	£	s.	d.
1. Fishing boats or smacks, wholly or partially decked, for each time of using the harbour	0	2	6
If compounded for. Ditto - Ditto, for not exceeding three months	1	0	0
If compounded for. Ditto - Ditto, for exceeding three months and not exceeding six months	1	10	0
If compounded for. Ditto - Ditto, for exceeding six months and not exceeding one year	2	0	0
Open boats, for each time of using the harbour	0	1	0
If compounded for. Ditto - Ditto, for not exceeding three months	0	10	0
If compounded for. Ditto - Ditto, for exceeding three months and not exceeding six months	0	15	0
If compounded for. Ditto - Ditto, for exceeding six months and not exceeding one year	1	0	0
2. Other vessels taking in or discharging any cargo:			
For every vessel under the burden of 15 tons, per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton	0	1	0
All lighters, for each trip, per ton	0	0	2
All boats entirely open, landing or taking on board goods, each	0	0	6
3. Other vessels entering the harbour, but not discharging or taking in any cargo, viz.:—			
Vessels with cargo - per ton	0	0	6
Ditto light or in ballast - per ton	0	0	4

II.—Rates on Fish and Goods shipped or unshipped or transhipped within the Limits of the Harbour.

Herrings, per last	0	2	6
Turbot, per score	0	0	3
Turtle, each	0	2	6
Other fish, per cwt.	0	0	3
Ditto, - per basket	0	0	2
Ale and porter, per hogshead	0	0	6
Ditto, per barrel	0	0	3

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	£	s.	d.
Anchors, per cwt.	0	0	9
Ditto stock, per foot	0	0	2
Beef or pork, per ton	0	1	4
Ditto, ditto, per barrel	0	0	2
Bones, per ton	0	0	6
Bone dust, ditto	0	0	8
Bricks, per 1,000	0	0	8
Casks (empty), per puncheon	0	0	3
Cattle:			
Bulls, cows, and oxen, each	0	3	0
Calves, ditto	0	1	0
Horses, ditto	0	4	0
Sheep and pigs, ditto	0	0	6
Chalk, per ton	0	1	0
Cheese, per cwt.	0	0	4
Carriages (four wheeled), each	0	7	6
Ditto, gigs, carts, and other two wheeled, ditto	0	5	0
Coals, per ton	0	1	0
Copper, ditto	0	3	0
Cordage, per cwt.	0	0	3
Corn and seeds, per quarter	0	0	6
Cork, per cwt.	0	0	6
Crystal, per box or package	0	0	6
Dogs, each	0	0	6
Drugs in casks, hampers, or boxes, per foot	0	0	2
Earthenware ditto ditto ditto	0	0	2
Eggs, per box	0	0	3
Flax, per ton	0	2	0
Flour and meal, per sack	0	0	4
Ditto ditto, per barrel	0	0	3
Fruit, per bushel or sieve	0	0	4
Furniture (household), per five cubic feet	0	0	4
Glass, per large crate	0	1	6
Ditto, per small ditto or case	0	1	0
Ditto, per box	0	0	6
Groceries (not enumerated), per cwt.	0	0	6
Guano, per ton	0	1	6
Gunpowder, per barrel or keg	0	0	6
Hams, bacon, or tongues, per cwt.	0	0	4
Hardware, per ton	0	2	6
Hares and rabbits, per dozen	0	0	4
Hay, per ton	0	1	6
Ditto, per truss	0	0	2
Hemp, per ton	0	2	0
Hides	0	0	3
Ox, cow, or horse (wet or dry), each	0	0	2
Iron:			
Bar, bolt, rod, and shots, per ton	0	1	6
Pig and old, ditto	0	1	0
Manufactured, ditto	0	2	6
Pots, each	0	0	1
Kelp, per ton	0	2	0
Lead, ditto	0	2	6
Leather (tanned and dressed), per cwt.	0	0	3
Lime, per twenty-eight bushels	0	1	4
Limestone, per ton	0	1	0
Machinery, ditto	0	2	6
Manure not enumerated, ditto	0	1	0

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		£	s.	d.
	Masts and spars, ten inches in diameter and upwards, each	0	4	6
	Ditto, under ten inches, ditto	0	3	0
	Meat (fresh), per cwt.	0	0	6
5	Milk, per gallon	0	0	0½
	Musical instruments, per cube foot	0	0	1
	Net, per five cubic feet	0	0	4
	Oakum, per cwt.	0	0	2
	Oils, per ton	0	2	0
10	Oil cake, ditto	0	2	0
	Oranges and lemons, per box	0	0	6
	Ores, per ton	0	1	0
	Oysters, per bushel	0	0	3
	Paint, per cwt.	0	0	4
15	Pitch and tar, per barrel	0	0	6
	Potatoes, per cwt.	0	0	2
	Poultry and game, per dozen	0	0	4
	Rags and old rope, per ton	0	2	0
	Sails, per cwt.	0	0	6
20	Salt, ditto	0	0	1
	Sand, per ton	0	1	0
	Shrimp baskets, each	0	0	2
	Skins, calf, goat, sheep, lamb, or dog, per dozen	0	0	6
	Slates, per ton of twenty-four cubic feet	0	2	0
25	Spirits (Foreign and British), per hogshead	0	1	0
	Ditto, per gallon	0	0	1
	Stones, per ton of sixteen cubic feet	0	1	6
	Steel, per ton	0	3	0
	Sugar, per cwt.	0	0	3
30	Tallow, soap, and candles, per cwt.	0	0	3
	Tea, per chest	0	1	0
	Tiles, per 1,000	0	1	6
	Tin and zinc, per ton	0	3	0
	Tobacco, per cwt.	0	0	6
35	Turnips, per ton	0	0	6
	Turpentine and varnish, per barrel	0	0	6
	Vegetables (not enumerated), per cwt.	0	0	4
	Vinegar, per hogshead	0	0	6
	Vitriol, per carboy	0	1	0
40	Water, per cask	0	0	3
	Wine, per hogshead	0	1	0
	Ditto (bottled), per dozen	0	0	2
	Wood:			
	Fir, pine, and other descriptions (not enumerated), per load of			
45	50 feet	0	1	6
	Oak or wainscot, per load of 50 feet	0	2	0
	Firewood, per fathom of 216 cubic feet	0	1	6
	Laths and lathwood, ditto	0	2	6
	Handspikes, per 120	0	3	0
50	Oars, ditto	0	5	0
	Spars under 22 feet in length, above 2½ and under 4 inches in diameter, ditto	0	5	0
	Ditto 2½ inches in diameter and under, ditto	0	4	0
	Ditto 22 feet in length and upwards and not exceeding			
55	4 inches in diameter, ditto	0	9	0
	Ditto above 4 and under 6 inches in diameter, ditto	0	14	0
	Spokes of wheels not exceeding 2 feet in length, ditto	0	2	0
	Ditto exceeding 2 feet in length, ditto	0	3	0
	Trenails, per 1,000	0	2	6

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	£	s.	d.
Wood—*continued.*			
Wedges, ditto	0	2	6
Pipe staves and others in proportion, per 120	0	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	0	2	0
Wool, per cwt.	0	0	4
Yarn, ditto	0	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED.

Light goods, per cube foot	0	0	1
Heavy goods, per ton	0	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates to be charged.

III.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	0	4
Exceeding 1 ton and not exceeding 2 tons	0	0	6
Exceeding 2 tons and not exceeding 3 tons	0	0	8
Exceeding 3 tons and not exceeding 4 tons	0	0	10
Exceeding 4 tons and not exceeding 5 tons	0	1	0
Exceeding 5 tons and not exceeding 6 tons	0	1	2
Exceeding 6 tons and not exceeding 7 tons	0	1	4
Exceeding 7 tons and not exceeding 8 tons	0	1	6
Exceeding 8 tons and not exceeding 9 tons	0	1	10
Exceeding 9 tons and not exceeding 10 tons	0	2	4
Exceeding 10 tons	0	3	6

2*nd. Weighing Machines.*

For goods weighed for every ton or part of a ton	0	0	3

3*rd. Shed Dues.*

For every ton of goods of 40 cubic feet, or for every ton of goods of 20 cwt. which remains in the warehouses or sheds or other works of the company for longer than forty-eight hours	0	0	3
And per ton for each day during which the goods remain after first forty-eight hours	0	0	1½
For any portmanteau, trunk, parcel, or other article of passengers luggage, for every day or part of a day	0	0	2

IV.—RATES FOR LAYING WATER MAINS ON PIER.

Water, per ton	0	0	6

V.—RATES ON PASSENGERS AND OTHERS USING THE PIER.

For every passenger or other person landing on or embarking on the pier from or to any vessel or passage boat, for every time	0	0	4
For every person using the pier for pleasure or any purpose, except for so landing or embarking, for every time	0	0	2
For every bath or sedan chair taken on the pier, for every time	0	0	6
For every perambulator ditto	0	0	2
For every master of any vessel or boat being an inhabitant of the township of Filey, and using the pier for going to or returning from his own vessel or boat, the yearly sum of	1	0	0

VI.—Rates on Passengers Luggage landed or embarked or transhipped within the Harbour. *Filey.*

	£	*s.*	*d.*
For every trunk, portmanteau, box, parcel, or other package within the description of luggage not exceeding 28 lbs.	0	0	2
Exceeding 28 lbs. and not exceeding 84 lbs.	0	0	4
Exceeding 84 lbs. and not exceeding 112 lbs.	0	0	5
Exceeding 112 lbs. and not exceeding 140 lbs.	0	0	6
Exceeding 140 lbs. and not exceeding 196 lbs.	0	0	7
Exceeding 196 lbs. and not exceeding 2 cwt.	0	0	8
And for every cwt. exceeding 2 cwt.	0	0	4
And for every 20 lbs. weight in addition	0	0	1

GREENOCK.

Provisional Order of the Board of Trade to enable the Trustees of the Port and Harbours of Greenock on the Frith of Clyde to widen and extend Albert Harbour there, and for the Improvement, Maintenance, and Regulation of the said Port and Harbours.

Whereas the provost, four bailies, treasurer, and whole councillors of the burgh of Greenock on the Frith of Clyde, acting under the Local Act of Parliament of the fifth year of the reign of Her present Majesty, session second, chapter fifty-four, and the several other Acts of Parliament as to the port and harbours of Greenock therein recited, that is to say, the following Local Acts of the reign of His Majesty King George the Third, namely, of the thirteenth year, chapter twenty-eight, of the twenty-ninth year, chapter forty-three, of the forty-first year, chapter fifty-one, of the forty-third year, chapter eighty-seven, of the fiftieth year, chapter one hundred and sixty-seven, and of the fifty-seventh year, chapter thirty-two, are the trustees of the said port and harbours of Greenock, in this Order called the trustees: Preamble.

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the trustees made application by memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after styled the Board of Trade, praying for a Provisional Order under the said last-mentioned Acts for extension of a harbour called Albert Harbour within the limits of their port, and now in course of construction by them under powers contained in the Act first mentioned, by widening the said harbour, and that they might have power to acquire lands and property for that purpose, and that other provisions might be made in regard thereto:

And whereas the estimated expenditure for the proposed extension and works is forty thousand pounds and no more:

And whereas the trustees claim a right to levy certain dues on ships bound to or from Glasgow which load or discharge at the Tail of the Bank in the Clyde, and on the goods there laden into and discharged from such ships:

Greenock.

And whereas the said claim is disputed, and it is expedient that such dispute should be put an end to in the manner and at the time herein-after mentioned:

And whereas the trustees published the advertisements and deposited the documents which by the General Pier and Harbour Acts before mentioned they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled the present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatsoever):

Now, therefore, the Board of Trade do by this Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

The undertakers.

1. The trustees and their successors in office, trustees of the port and harbours of Greenock, shall be the undertakers under this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plan as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation (Scotland) Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections, make and maintain the further or extended works at the said Albert Harbour shown on the deposited plan.

Description of works.

5. The works authorized by this Order are the following:

An extension of the harbour called Albert Harbour, now in course of construction, by widening the same to the extent of twenty-three yards or thereby additional, on the southern side thereof, along the whole length of the said Albert Harbour, being three hundred and thirty yards or thereby, embracing the extension of the East Quay of the said Albert Harbour for the said distance of twenty-three yards or thereby in a southerly direction, and of the West Quay of the said Albert Harbour for a like distance in a like direction, and the formation of the South Quay at a like distance southward from its site as heretofore designed; and

and the excavation of the said additional harbour ground to be acquired under this Order to the requisite depth, as the said extended Albert Harbour ground and works are shown on the deposited plan and sections. *Greenock.*

Application of the Harbours, Docks, and Piers Clauses Act.

6. The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, excepting in so far as regards the provisions with respect to the construction of the harbour, dock, or pier, which, so far as the said Albert Harbour remains to be completed, shall be applicable to the same, and excepting also in so far as regards the sections fourteen, fifteen, twenty-five, and twenty-six, and the saving of rights sections of the said Act.

Trustees may levy rates.

7. The trustees may demand and receive for the use of the said Albert Harbour and works on all vessels, passengers, animals, goods, matters, and things resorting to, and landing at, or loaded or unloaded at the said Albert Harbour, or using the same, or works therewith connected, the rates, dues, and duties by the recited local Acts authorized to be levied for and at the said port and harbours of Greenock, as the same are or may be modified or altered by The Harbours and Passing Tolls, &c. Act, 1861, to be levied to the same extent, and by the same process, and in the same way and manner in all respects as the rates, dues, and duties leviable under the said local Acts as so modified or altered are and may be levied, demanded, and received.

Application of rates.

8. The said rates, dues, and duties shall be applicable to payment of the costs incurred in regard to this Order, and to the purposes to which the rates, dues, and duties leviable under the said recited local Acts are applicable, the said Albert Harbour and works being always regarded as part of the works and undertaking of the port and harbours of Greenock.

Application of Harbour Acts and of Police Act to this Order.

9. The whole provisions of the said recited local Acts, and also of the local Police Act of the third year of the reign of Her present Majesty, chapter twenty-seven, shall, so far as applicable and not altered by this Order, be applied to the said Albert Harbour and works as part of the works and undertaking of the said port and harbours of Greenock.

Trustees may apply funds in their hands in execution of works.

10. The trustees may apply in and towards execution of the said extension of Albert Harbour and works hereby authorized all funds in their hands derived from the rates and income of the trustees, or in their hands, or that may come to be in their hands, through any loan effected or that may be effected by them with the Public Works Loan Commissioners, or effected or to be effected with private parties.

Power to borrow.

11. For the purpose of the purchase of lands and property, and for the execution of the said extension of Albert Harbour and works, the trustees may borrow and take up at interest, on the credit of the whole rates, dues, and duties leviable by them, and of the other property vested in them, any sum or sums of money not exceeding forty thousand pounds, and on any part of the same being repaid re-borrow the same if necessary, and assignments for such sum or sums and transfers of the same may be granted and registered in all respects as by the Harbour Act first recited is provided in regard to the borrowing of money thereby authorized :

Provided always, that nothing herein contained shall affect any mortgage granted or that may be granted by the trustees to the Public Works Loan

Greenock.

Commissioners, whether with regard to its constitution, preference, or any other particular whatsoever, without consent of the said Commissioners, nor shall anything herein contained affect, as to priority or otherwise, any mortgage granted by the trustees to any person before the commencement of the operation of this Order.

Steam vessels, lighters, &c.

12. The trustees may provide such steam engines, steam vessels, piling engines, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for the purposes of the port and harbours, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

13. Part V. of The Harbours and Passing Tolls Act, 1861, shall apply to the said port and harbours of Greenock.

Abolition of dues levied at the Tail of the Bank.

14. All dues levied or leviable by the trustees on ships which, being bound to or from ports other than Greenock, load or discharge goods at the Tail of the Bank in the Clyde, or on goods there laden into or discharged from such ships, shall cease at the time following; that is to say,

If there is paid to the trustees a composition equal to the aggregate amount of the dues levied by them on such ships and goods as aforesaid during the four years ending the thirty-first day of December one thousand eight hundred and sixty-three, then immediately on such payment:

If no such composition is made, then from the thirty-first day of December one thousand eight hundred and sixty-eight:

Provided, that nothing in this section shall apply to any ships or goods that enter or use the basins, quays, or other harbour works of the trustees, or shall limit or otherwise affect the boundaries of the harbours of Greenock.

Short title.

15. This Order may be cited as The Greenock Harbour Order, 1864.

Board of Trade, Whitehall,
Dated this 29th day of March 1864.

(Signed) T. H. Farrer,
Marine Secretary.

CARLINGFORD LOUGH.

Provisional Order of the Board of Trade for the Improvement and Regulation of the Harbour of Carlingford Lough in Ireland.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Harbour of Carlingford Lough Improvement made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations (herein-after called the Board of Trade), praying them (among other things) to grant a Provisional Order under the said Acts, and thereby to constitute Commissioners or other proper Harbour authority for the Harbour of Carlingford Lough in Ireland, and to empower such Commissioners to make and maintain certain works and excavations at the bar and in and about the entrance

entrance of the Lough for the purpose of deepening the bar, and for the improvement of the entrance by the erection of buoys, beacons, and lights, and to levy rates, and to extinguish rights and privileges in and over the Lough, so far as the same might be inconsistent with the Order, especially the rights of Thomas Lord Clermont in respect of anchorage, and to provide for recompensing the said Lord Clermont and others (if any) whose rights should be extinguished, and to raise money for the purposes of such works and compensations : *Carlingford Lough.*

And whereas the estimated expenditure on the proposed works and excavations is eighty thousand pounds, and no more :

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit :

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever) :

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in that behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution, which Commissioners and their successors shall be and are hereby, for the purposes of this Order, incorporated by the name of The Harbour of Carlingford Lough Improvement Commissioners, and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Meaning of "the Commissioners."

2. The term "the Commissioners" herein-after used means the Harbour of Carlingford Lough Improvement Commissioners.

Appointment of the several Commissioners.

3. The appointment of the Commissioners shall be regulated as follows :

(1.) The following four persons are hereby appointed Commissioners, namely, William Forster, Richard Allen Minnitt, Edward Tipping, and Richard Mayne, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those four Commissioners, the Commissioners shall by a special order appoint another person to fill the vacancy, and so toties quoties :

(2.) Two of the Commissioners shall be appointed by the Newry Navigation Company, and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those two Commissioners, another person shall be appointed by that Company to fill the vacancy, and so toties quoties :

Carlingford Lough.

(3.) Two of the Commissioners shall be appointed by the Newry and Greenore Railway Company, and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those two Commissioners, another person shall be appointed by that Company to fill the vacancy, and so toties quoties:

(4.) Two of the Commissioners shall be appointed by the Dundalk and Greenore Railway Company, and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those two Commissioners, another person shall be appointed by that Company to fill the vacancy, and so toties quoties:

(5.) The Board of Trade may, if they think fit, at any time after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those two Commissioners, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties.

Incorporation of parts of 10 & 11 Vict. c. 16.

4. The Commissioners Clauses Act, 1847, (except sections seventeen to thirty-five, and ninety-six to ninety-eight, all inclusive,) shall be incorporated with this Order, and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade) unless he is seised or possessed of property to the value of one thousand pounds:

(2.) With reference to section thirty-nine of the last-mentioned Act, the prescribed number (constituting a quorum) of the Commissioners shall be five if and as long as there is any Commissioner appointed by the Board of Trade, and shall be three if the Board of Trade do not exercise the power of appointing a Commissioner, or if and as long as the offices of all Commissioners appointed by the Board of Trade are vacant:

(3.) The Board of Trade shall appoint a permanent auditor of the accounts of the Commissioners.

Undertakers.

5. The Commissioners shall be the undertakers of the works authorized by this Order.

Commencement of Commissioners powers.

6. The Commissioners shall be deemed fully constituted and incorporated, and shall commence to act under this Order, as soon as four persons have been appointed Commissioners in addition to the four appointed by this Order; and any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the failure of any Company to appoint a Commissioner.

Limits of Harbour.

7. The limits within which the Commissioners shall have authority (which shall be deemed the limits to which this Order extends) shall extend from and below the whole high-water line and mark of ordinary spring tides within Carlingford Lough, and to and within two imaginary right lines respectively drawn, one from Cranfield Point on the northern side of the entrance of the Lough

Lough to Hellyhunter Rock, and the other from that rock to Ballagan Point on the southern side of the entrance to the Lough. *Carlingford Lough.*

Power to take lands by agreement.

8. For the purposes of the works authorized by this Order the Commissioners may from time to time, by agreement, enter on, take, and use such lands within or around Carlingford Lough as may be required for the proposed works, not exceeding in the whole three acres.

Incorporation of Lands Clauses Acts.

9. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to execute works.

10. Subject to the provisions of this Order, the Commissioners may, on the site designated by this Order, and according to the deposited plans and sections, execute and maintain the works shown on the deposited plans and sections.

Description of works.

11. The works authorized by this Order comprise the following:

(1.) To blast, cut, dig, dredge, scour, cleanse, and remove the rocks, sand, clay, mud, and other substances in the bar or at the entrance or mouth of Carlingford Lough:

(2.) To erect, fix, lay down, and maintain any beacons, buoys, lights, warping posts, moorings, or other works necessary for the accommodation and guidance of ships and vessels in, into, or from Carlingford Lough, or for the navigation thereof, and to alter or abolish the same from time to time as may be necessary.

Rates in schedule.

12. Subject and according to the provisions of this Order, the Commissioners may demand and receive in respect of the ships, vessels, or other sailing or steaming craft described in the schedule to this Order any sums not exceeding the sums specified in that schedule.

Commencement of rates and cesser thereof in certain events.

13. As soon as the Commissioners are fully constituted and incorporated they may begin, and they may thenceforth continue, to demand and receive the rates authorized by this Order, subject nevertheless to the following provisions:

(1.) If within two years from the passing of an Act confirming this Order the channel or cut to be made in the bar or at the entrance or mouth of Carlingford Lough is not made of the depth of fourteen feet at least, then from the expiration of those two years the Commissioners shall not demand or receive any rates under this Order until the channel or cut is made of the depth of fourteen feet at least:

(2.) If within five years from the passing of an Act confirming this Order the channel or cut aforesaid is not made of the full depth proposed as shown on the deposited plans and sections, then from the expiration of those five years the Commissioners shall not demand or receive any rates under this Order until the channel or cut is made of the full depth aforesaid:

(3.) The Board of Trade, nevertheless, if it appears to them expedient, may from time to time extend the said period of two years for any time or times not exceeding in the whole one year, and may from time to time extend the said period of five years for any time or times not exceeding in the whole two years:

Carlingford Lough.

(4.) The Chairman of Quarter Sessions for the county of Louth, on proof being adduced to him that the channel or cut aforesaid is made of the depth of fourteen feet or of the full depth proposed as aforesaid (as the case may be), shall sign and give to the Commissioners a certificate thereof, which certificate shall be conclusive evidence of the matters therein certified.

Power for purchase of anchorage and other rights.

14. The Commissioners may purchase the rights of Thomas Lord Clermont in respect of the custom of anchorage in Carlingford Lough, and may purchase any other right, privilege, or custom in, over, or affecting Carlingford Lough, or the bed or waters thereof, so far as the same may interfere with the rights, powers, or duties of the Commissioners.

Application of Lands Clauses Acts.

15. For the purpose of every such purchase The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall apply in relation to the said custom of anchorage, and any other right, privilege, or custom as aforesaid, and the same respectively shall be deemed to be an estate or interest in lands.

Transfer to Commissioners of right to levy rates.

16. If the Commissioners purchase the said custom of anchorage, or any other such right, privilege, or custom as aforesaid conferring a title to levy any rates, tolls, or dues, they may, in addition to all other rates, tolls, or dues authorized by this Order, demand and receive all rates, tolls, and dues the title to levy which is conferred as aforesaid, or in lieu thereof such tonnage rates on vessels entering or leaving Carlingford Lough as the Board of Trade, or an arbitrator appointed by the Board of Trade, may determine to be a fair equivalent for such last-mentioned rates, tolls, and dues.

Borrowing power.

17. The Commissioners may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of eighty thousand pounds, on the security of the works authorized by this Order, and of the lands and property connected therewith, and of the rates, tolls, and dues authorized by this Order, or of any of those particulars, or of any other the property of the Commissioners.

Receiver.

18. The mortgagees of the Commissioners may enforce the payment of the arrears of interest or of the arrears of principal and interest due to them on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver shall be five hundred pounds.

Money to be applied for the purposes of Order.

19. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of rates and income.

20. The Commissioners shall apply all money received by them from the rates, tolls, and dues authorized by this Order, and all other income coming into their hands in respect of the works authorized by this Order, or from the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

(1.) In paying the expenses of the maintenance, management, and regulation of the works authorized by this Order, and of the lands and property connected or used therewith:

(2.) In paying (to an extent not exceeding one fifteenth part of the rates, tolls, and dues) any rent or other annual charge that may become payable

payable under this Order to the said Thomas Lord Clermont, his heirs or assigns, as compensation for the said custom of anchorage, or to any other person in respect of any such right, privilege, or custom as aforesaid: *Carlingford Lough.*

(3.) In paying the interest accruing on money borrowed under the authority of this Order, and any sum payable on account of the principal thereof, or on account of the principal of any other money chargeable under this Order on the property of the Commissioners.

Revision of rates.

21. The Commissioners shall from time to time revise the rates, tolls, and dues receivable under this Order, so that the income of the Commissioners under this Order may always be, as far as is practicable, sufficient and not more than sufficient to meet the expenditure directed or authorized by this Order.

Commissioners may provide engines, lighters, &c.

22. The Commissioners may, for the purposes of the works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving-bells, ballast lighters, rubbish-lighters, tools, plant, or other materials as they think fit, and may from time to time, as they think fit, sell and dispose of any such dredges, engines, tugs, vessels, diving-bells, lighters, tools, plant, and materials as aforesaid, and shall apply the money thereby realized for carrying into effect the purposes of this Order, or some of them.

Pilotage, lights, buoys, and beacons.

23. The Commissioners shall be a pilotage authority and local authority within the meaning of The Merchant Shipping Act, 1854, and the Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Lands for extraordinary purposes.

24. The Commissioners shall not acquire for extraordinary purposes lands exceeding in extent in the whole two acres.

Exception of parts of Harbours Clauses Act.

25. Sections sixteen, seventeen, eighteen, nineteen, twenty-five, and twenty-six of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Confirmation of byelaws and provision for management of harbour.

26. Any byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the Harbour Master, by virtue of section 52 of that Act, or of any other authority, or for the Commissioners, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Saving rights of navigation company and of railway companies.

27. Nothing in this Order contained shall take away, alter, lessen, or prejudice any of the respective rights, privileges, powers, or authorities vested in or enjoyed by the Newry Navigation Company, the Newry and Greenore Railway Company, and the Dundalk and Greenore Railway Company, or any or either of them.

Costs of Order.

28. The Commissioners shall pay the costs of and connected with the obtaining, preparation, and making of this Order out of the first money which comes to their hands under this Order.

Carlingford Lough.

Short title.

29. This Order may be cited as The Harbour of Carlingford Lough Improvement Order, 1864.

Board of Trade, Whitehall.
Dated this 1st day of April 1864.

(Signed) JAMES BOOTH,
Secretary.

The SCHEDULE referred to in the foregoing Order.

	s.	*d.*
For every vessel entering Carlingford Lough without delivering or loading cargo there, per registered ton - - - - -	0	3
For every vessel entering or leaving Carlingford Lough and delivering or loading cargo there:		
If coming from or going to any port in the United Kingdom or the Isle of Man, per registered ton - - - - -	0	6
If coming from or going to any port other than a port in the United Kingdom or the Isle of Man, per registered ton -	0	9

Exemptions.

All sailing vessels under 75 tons, and all steam vessels under 100 tons, to be exempt altogether.

All vessels under 1,000 tons to be exempt if they enter or leave between half flood and the next half ebb tide.

WEXFORD.

Provisional Order of the Board of Trade for the Improvement of the Entrance to Wexford Harbour.

Preamble.

Whereas by The Wexford Harbour Commissioners Act, 1862, the Wexford Harbour Commissioners were incorporated for the purpose of carrying into execution that Act, and an Act (Local) passed in the session of the sixth and seventh years of the reign of Her Majesty (chapter forty-one), intituled "An "Act for improving, maintaining, and regulating the harbour of Wexford in "the county of Wexford:"

And whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the said Commissioners made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations (herein-after called the Board of Trade), praying their Lordships to grant a Provisional Order under the last-mentioned Acts for executing the works herein-after specified, with power

power to levy and recover rates according to the schedule in the memorial referred to: *Wexford.*

And whereas the estimated expenditure on the proposed works is twenty thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The Wexford Harbour Commissioners, herein-after called the Commissioners, shall be the undertakers of the works authorized by this Order. The undertakers.

Borrowing.

2. In addition to the money which the Commissioners are authorized to borrow at the time of this Order coming into force, they may borrow, at interest, such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of twenty thousand pounds, on mortgage of all or any part of the rates and property leviable and acquired by the Commissioners under the Acts first and secondly herein-before mentioned, or either of them, or under this Order; and any money borrowed under this Order, and discharged otherwise than by means of the sinking fund, may be re-borrowed, if required for the purposes of this Order, and so toties quoties. Borrowing.

3. All securities affecting the rates and property leviable and acquired under the last-mentioned Acts, or either of them, granted before the time of this Order coming into force, shall have priority over any mortgage thereof granted under this Order. Priority of existing mortgages.

4. The provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order. Commissioners Clauses Act.

5. The amount to be every year appropriated as a sinking fund is one fiftieth part of the principal money borrowed, such appropriation to commence from the expiration of one year after the Commissioners are entitled to begin to demand and receive rates under this Order. Sinking fund.

6. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their Receiver.

Wexford.

respective mortgages by the appointment of a receiver; the amount to authorize a requisition for a receiver is two thousand pounds.

Money to be applied to purposes of Order.

7. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Lands.

Power to take lands by agreement.

8. For the purposes of this Order the Commissioners may from time to time, by agreement, enter upon, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works, and the Commissioners may also purchase, take on lease, or otherwise acquire, by agreement, any lands adjacent or near to the harbour of Wexford not exceeding in extent in the whole five acres, to be used by them for the purpose of depositing ballast thereon.

Lands Clauses Acts incorporated.

9. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

10. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

11. The works authorized by this Order comprise the following:

To embank or pile a portion of the north-western side of the sandbank called the Doggerbank, which forms the south-eastern side of the north-eastern sea channel leading to the entrance to the harbour of Wexford, and to raise the said Doggerbank:

To stop up a channel or swashway leading across the said Doggerbank:

To alter, deepen, and improve the said north-eastern sea channel, and also the southern sea channel, called the Hantoon Channel, leading to the entrance to the said harbour.

Rates.

Power to take rates according to schedule.

12. In addition to the rates which the Commissioners are authorized to demand and receive at the time of this Order coming into force, they may demand and receive in respect of the vessels mentioned in the schedule hereto any sums not exceeding the rates in that schedule specified.

Custom House officers exempt from rates.

13. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the harbour and works with their vessels and otherwise without payment.

Application of rates and monies received by the Commissioners.

14. The Commissioners shall apply all rates received under this Order after defraying the expense of collecting the same, and all other money coming to their hands from the works by this Order authorized, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

1. In paying the costs of and connected with the preparation and making of this Order:

2. In

2. In paying the expenses of the maintenance, management, and regulation of the works authorized by this Order, and of the lands and property connected therewith:

3. In paying the interest on any money borrowed under this Order, and in creating the sinking fund required by this Order:

4. In and towards the purposes of the said harbour, as regulated by the Acts of Parliament relating thereto.

General Provisions.

15. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen. Harbours, Docks, and Piers Clauses Act.

16. The Commissioners shall not purchase for extraordinary purposes lands exceeding in extent in the whole five acres. Lands for extraordinary purposes.

17. The Commissioners may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effecting any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

18. This Order may be cited as The Wexford Harbour Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 1st day of April 1864.

(Signed) James Booth,
Secretary.

SCHEDULE to which this Order refers.

Rates on Vessels entering within the Limits of the Harbour or Works.

For every vessel which shall enter within the limits of the harbour of Wexford, or of the works authorized by this Order, the sum of 2*d.* per ton upon each and every ton which such vessel shall measure.

TORQUAY.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Torquay in the County of Devon.

Preamble.
43 Geo. 3. c. lxxxviii.

Whereas by an Act of the forty-third year of King George the Third, intituled "An Act for repairing, enlarging, and improving the pier and quay "within the Port or Harbour of Torquay in the county of Devon," (herein-after called the Act of 1803,) Sir Lawrence Palk, then of Haldon House in the county of Devon, Baronet, since deceased, his heirs and assigns, were authorized to repair or enlarge and rebuild the then pier or quay at Torquay, or to build new piers or quays within the part therein described of the Harbour of Torquay, which part is herein-after referred to as the Old Harbour, on his or their lands there, as he or they should think fit, and to demand and take for all ships, boats, and other vessels thenceforth coming into or otherwise using the Old Harbour, or lying at anchor within the same, and for all goods, wares, merchandise, and other things landed or shipped within or from the Old Harbour, and for the passengers in every such ship or other vessel, rates, duties, and tolls not exceeding the sums specified in the schedule thereunto annexed:

And whereas Sir Lawrence Palk, deceased, improved the Old Harbour accordingly:

And whereas the Old Harbour, and the lands heretofore of Sir Lawrence Palk, deceased, within the limits thereof, and the works made by him there, and the rates, duties, and tolls granted by the Act of 1803, and the powers and privileges thereby granted, now are part of the settled estates late of Sir Lawrence Palk, deceased, whereof the present Sir Lawrence Palk, of Haldon House in the county of Devon, Baronet, is now the tenant for life in possession without impeachment of waste, with divers remainders over in strict settlement:

And whereas divers lands to which this Order relates also form part of those settled estates, and the pier, wharf, and other works by this Order authorized, when made, will also form part of those settled estates:

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the present Sir Lawrence Palk, as promoter of the undertaking to which this Provisional Order relates, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board to grant a Provisional Order under those Acts, and thereby to constitute the promoter and others a harbour authority for the purposes of the Order, and to authorize him and them to make and maintain additional piers, wharves, and other works within the limits in that behalf of the Order, and to levy and recover rates, tolls, and duties, and in the Order to specify the terms and conditions to be observed by the undertakers for the making, maintaining, and managing of the works, and to grant such other powers, privileges, and authorities as to the Board of Trade might seem fit:

And

Torquay.

And whereas the estimated expenditure on the proposed works is fifty-one thousand pounds, and no more:

And whereas the promoter published the advertisements and deposited the documents which by the last-mentioned Act he was required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Undertakers.

1. The present Sir Lawrence Palk, Baronet, and other the person and persons from time to time entitled to the lands and works to which this Order relates, shall be the undertakers for the purposes of this Order, and shall have and may exercise the several powers, privileges, and authorities by this Order conferred on the undertakers, and may carry this Order in all respects into execution.

Power to take lands by agreement.

2. For the purposes of the works authorized by this Order the undertakers from time to time, by agreement, may appropriate, or may enter upon and take and may use, such of the lands shown on the plans deposited for the purposes of this Order as they think expedient.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may execute, make, and maintain on the lands taken or appropriated by them for the purposes of this Order the works by this Order authorized, and, so far as the same are shown on the plans and sections deposited for the purposes of this Order, may make the same in the lines and in accordance with the levels shown on the deposited plans and sections respectively, or within the limits of lateral deviation shown on the deposited plans, and, as regards vertical deviation, within five feet from those levels.

Description of works.

5. The works which by this Order the undertakers are authorized to execute, make, and maintain comprise the following works, with all proper and sufficient quays, wharves, yards, warehouses, approaches, accessories, and incidental works and conveniences whatsoever; (that is to say,)

(1.) A pier or breakwater constructed of stone commencing at the point called Land's End or Peak of Tor, and extending into the bay in a westerly direction for a length of seven hundred feet or thereabouts, with a cant or elbow at its outer end constructed of timber:

Torquay.

(2.) An extension of the present stone breakwater (situate on the east side of Beacon Hill) from its present termination to the Outer Millstone Rock, such extension to be one hundred and forty feet in length or thereabouts:

(3.) A wharf (for the storage of goods as well as for the loading and discharging of vessels) extending from the inner or northern end of the said present breakwater to the inner or eastern end of the proposed pier, the western portion thereof for a length of two hundred and fifty feet or thereabouts, and the eastern portion thereof for a length of three hundred and thirty feet or thereabouts, to be formed with a flat slope towards the harbour, and to be left open for the beaching of vessels or boats; the central portion for a length of six hundred and fifty feet or thereabouts to be faced with timber framing, with a platform thereon, with proper fender piles, and to be made convenient for the loading and discharging of vessels.

Power to fill up part of Old Harbour.

6. The undertakers may from time to time, subject to the approval of the Board of Trade, inclose and fill up any part of the Old Harbour, and appropriate and use the same for the purpose of widening the streets or parades abutting on or adjacent to the Old Harbour, or otherwise improving the town of Torquay.

Limits of new harbour as to rates.

7. With respect to the levying of rates the limits of the new harbour comprise the pier or breakwater, extension of breakwater, and wharf by this Order authorized, and the lands, foreshore, and sea contained within the same, and within an imaginary line drawn from the outer edge of the western end of the pier or breakwater to the outer edge of the eastern end of the present breakwater as extended.

Limits of new harbour except as to rates.

8. For all the purposes of this Order, other than the levying of rates, the limits of the new harbour are the following; (that is to say,) the lands, foreshore, and bed of the sea contained within the following lines; (that is to say,)

(A.) An imaginary line drawn due west from the centre of the natural arch called London Bridge for a distance of five hundred yards or thereabouts;

(B.) An imaginary line drawn due north-westward from the western end of the line (A.) until it touches the imaginary line which forms the western boundary of the Old Harbour (which last-mentioned boundary is described in the Act of 1803 as "a direct line from a certain "stone post on Torquay Bridge to other stone posts and a ring on "the beach at Torquay, and from thence to or near to the centre "of the clift called Foxhole Point in the parish of Paignton");

(C.) The imaginary line forming that western boundary of the Old Harbour from the point at which it is touched by the line (B.) to the line of high-water mark of highest spring tides near to the Western Quay Wall of the present tidal basin of the Old Harbour; and

(D.) The present line of high-water mark of highest spring tides from the termination of the imaginary line (C.) to the commencement of the imaginary line (A.)

9. With

Torquay.

Rates for new harbour.

9. With respect to the new harbour, from and after the completion of the pier or breakwater and extension of breakwater authorized by this Order (of which completion a certificate signed by the Chairman of the Quarter Sessions shall be conclusive evidence, which certificate such Chairman shall sign on proof being adduced to him of such completion), the undertakers, from time to time, may demand and take for or in respect of the vessels, persons, animals, fish, goods, and things described in the schedule to this Order any rates not exceeding the several sums in that behalf specified in that schedule.

Rates for Old Harbour.

10. With respect to the Old Harbour, from the commencement of the operation of this Order, the rates, tolls, or duties leviable under the Act of 1803 shall cease to be levied, and thenceforth the undertakers may demand and take for or in respect of the vessels, persons, animals, fish, goods, and things described in the schedule to this Order any rates not exceeding the several sums in that behalf specified in that schedule:

Provided always, as follows:

(1.) Until rates become leviable under this Order with respect to the new harbour, such rates, tolls, or duties as are specified in the first and fifth items of the schedule to the Act of 1803 (and no others) shall be leviable with respect to the Old Harbour for or in respect of the things comprised in those items:

(2.) Nothing herein shall authorize with respect to the Old Harbour at any time the taking of any such rates as are mentioned in Table V. of the schedule to this Order.

Power to borrow for works.

11. The undertakers for the purposes of this Order from time to time may borrow and re-borrow at interest on mortgage of the undertaking, and the rates and moneys made payable under this Order, such moneys as they think fit, not exceeding in the whole fifty-five thousand pounds, and all the moneys so borrowed shall be applied only for purposes of the undertaking.

Commissioners Clauses Act.

12. The provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order.

Receiver for mortgagees.

13. The mortgagees of the undertakers may enforce the payment of the arrears of interest or of principal and interest due on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver is two thousand pounds.

Harbours Clauses Act.

14. Sections twenty-five, twenty-six, forty-nine and fifty of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Lands for extraordinary purposes.

15. The undertakers shall not purchase for extraordinary purposes lands exceeding in extent in the whole ten acres.

Pass tickets for use of piers, &c.

16. The undertakers may grant to passengers and others pass tickets for the use of the present breakwater and of the pier or breakwater, extension of breakwater, and wharf authorized by this Order, on such terms, and for such periods not exceeding one year, as are agreed upon, but so that no preference be given to any person.

Pass tickets not transferable.

17. A pass ticket granted by the undertakers shall not be transferable, and shall not be used by any person other than the person for whom it is granted, or by any person after the period limited for its use.

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Penalty for using false pass ticket, &c.

18. If any person acts in any way in contravention of the last preceding provision, or uses or attempts to use any false or counterfeit pass ticket, every person so offending shall for every such offence be liable to a penalty not exceeding twenty shillings.

Exemption of Custom House officers from rates.

19. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress into, through, and out of the Old Harbour and the new harbour and the works within the limits thereof respectively by land, and with their vessels and otherwise, without payment.

Steam engines, lighters, &c.

20. The undertakers may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, buoys, mooring posts, mooring craft, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for any of the purposes of the Act of 1803, or of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Lifeboats, tide-gauges, &c.

21. Notwithstanding anything in The Harbours, Docks, and Piers Clauses Act, 1847, it shall not be necessary for the undertakers to provide any lifeboat, mortar, rockets, tide-gauge, weather-gauge, or barometer, except on a requisition in that behalf by the Board of Trade.

Meters and weighers, &c.

22. The undertakers shall have the appointment of meters and weighers within the limits of the Old Harbour and of the new harbour, and the works and lands of the undertakers adjoining or near to the Old Harbour or to the new harbour, and also the appointment of crane attendants and quay porters in like manner and under the same regulations as meters and weighers.

Limits of harbour master's authority.

23. The limits within which the lawful authority of the harbour master for the regulation of the harbour may be exercised shall be the Old Harbour and the new harbour, and the works and lands of the undertakers adjoining and near to the Old Harbour and the new harbour.

Pilotage.

24. The undertakers shall be a pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on pilotage authorities.

Sheds, &c. on quays of Old Harbour.

25. Nothing in this Order shall confer on the undertakers any right or power to erect or maintain any shed or other building on any part of the quays or works of or connected with the Old Harbour; but nothing in this Order shall take away or abridge any right or power in that behalf now existing or exerciseable under the Act of 1803.

Saving for Act of 1803.

26. Subject to this Order, the Act of 1803 shall continue in force.

Short title.

27. This Order may be cited as The Torquay Harbour Order, 1864.

Board of Trade, Whitehall.
Dated this 4th day of April 1864.

(Signed) JAMES BOOTH,
Secretary.

The

The SCHEDULE referred to in the foregoing Order.

Torquay.

TABLE I.—RATES ON VESSELS ENTERING THE NEW OR THE OLD HARBOUR (AS THE CASE MAY BE), OR USING EITHER OF THOSE HARBOURS (THOUGH NOT ENTERING IT) FOR SHIPPING, UNSHIPPING, OR TRANSHIPPING GOODS OR PASSENGERS.

	s.	*d.*
For every vessel, per register ton	0	6
For every vessel remaining in the harbour beyond one month, for each additional month per register ton, every fraction of a month being considered as one month	0	2
For every two-oared boat belonging to the harbour, yearly	1	6
For every four-oared boat belonging to the harbour, yearly	2	6
For every other vessel belonging to the harbour, not exceeding ten tons, yearly	10	0
For every vessel belonging to the harbour, when solely employed in the fishery on the coast, yearly, per register ton	1	6
For every open boat employed in taking goods to or from the harbour, each time	1	0

TABLE II.—RATES ON ANIMALS AND GOODS SHIPPED, UNSHIPPED, OR TRANSHIPPED IN THE NEW OR THE OLD HARBOUR (AS THE CASE MAY BE).

Apples, per bushel	0	$0\frac{1}{2}$
Ale, beer, or porter, per kilderkin	0	3
Ditto per half ditto	0	2
Ditto per barrel	0	4
Ditto per hogshead	0	6
Ditto in bottles per gallon	0	$0\frac{1}{2}$
Anchors, per cwt,	0	2
Alabaster, rough, per ton	2	0
Ditto, worked, per cwt.	1	0
Alum, per cwt.	0	2
Amber, per cwt.	0	4
Asphaltum, per cwt.	0	1
Ashes, barilla, pearl and pot, bleaching, soda, &c., per cwt.	0	2
Apparel, in boxes or packages, per cwt.	0	2
Blubber, per cwt.	0	1
Bricks, common, per 1,000	2	0
Ditto, fire, per 1,000	3	0
Ditto, scouring, per 100	0	3
Bread or biscuit, per cwt.	0	2
Brooms, per dozen	0	1
Bones, per ton	2	0
Basket rods, per 1,000	0	3
Ballast, per ton	0	3
Butter and lard, per cwt.	0	3
Bagging, per cwt.	0	4
Bark, tanners', per ton	2	0
Bellows, smiths', each	0	6
Ditto, common, per dozen	0	6
Blacking, per cwt.	0	2
Blocks, ship, per dozen	0	1
Books, per cwt.	0	4
Borax, per cwt.	0	3
Bran, per ton	1	6
Brimstone, per cwt.	0	2
Bristles, per 12 lbs.	0	1

Torquay.

	s.	d.
Brushes, hair, rush, and whalebone, per dozen	0	2
Bullion or plate, per foot measurement	0	3
Bullrushes, per bundle	0	2
Blue Lias, per cwt.	0	1
Brass, new, per cwt.	0	2
Ditto, old, per cwt.	0	1
Cider or perry, per pipe	0	6
Ditto, per hogshead	0	3
Ditto, per half hogshead	0	2
Ditto, in bottles, per gallon	0	0½
Coals, per ton	0	10
Culm, per ton	0	6
Carpet bags, each	0	1
Cement, per cwt.	0	1
Corn and grain, per quarter	0	3
Candles, per cwt.	0	3
Cheese, per cwt.	0	6
Clay, per ton	0	9
Carriage with 4 wheels, each	4	0
Ditto with 2 wheels, each	2	0
Carts and waggons, each	2	0
Ditto, hand, each	1	0
Chips, per 100 bundles	1	0
Coopers' flags or rushes, per bundle	0	0½
Corpses, each	5	0
Cordage, per cwt.	0	2
Cables, chain, per cwt.	0	1
Cork, per cwt.	0	3
Cattle:		
Bulls, each	2	6
Cows, and oxen, each	1	6
Horses, each	2	0
Calves, each	0	6
Pigs, each	0	4
Sheep, each	0	4
Lambs, each	0	2
Asses and mules, each	1	0
Canvas, per bolt	0	1
Chalk, per ton	0	6
Chimney pots, each	0	1
Cakes, linseed, rape or cotton seed, per ton	2	0
China, per barrel bulk	4	0
Coke, per ton	1	0
Cradles, each	0	2
Cordials or liqueurs, per hogshead	1	6
Ditto, in bottles, per gallon	0	3
Chain iron, per cwt.	0	2
Cloths, linen, woollen, or cotton, bale, pack, or truss, per cwt.	0	4
Ditto ditto in boxes, per cubic foot	0	1
Copper, per cwt.	0	2
Ditto furnaces, per 20 gallons	0	2
Cigars, per cwt.	0	6
Drugs and chemicals:		
Aloes, per cwt.	0	4
Aniseed, per cwt.	0	3
Arsenic, per cwt.	1	0
Bark, medicinal, per cwt.	0	6
Copperas, per barrel or bag	0	2

		s.	d.	*Torquay.*
	Drugs and chemicals—*cont.*			
	Cream of tartar, per cwt.	0	4	
	Gum, per cwt.	0	4	
	Juice, lemon, lime, and orange, per hogshead	1	0	
5	Mineral waters, per cwt.	0	2	
	Muriate of lime, potash, and soda, each, per cwt.	0	1	
	Salts, Epsom and Glauber, per cwt.	0	2	
	Dogs, per head	0	6	
	Dyers stuff, per cwt.	0	4	
10	Dyes, per cwt.	1	0	
	Earthenware, crate or package of, per foot	0	1	
	Ditto coarse in bulk, per potter's dozen	0	4	
	Eggs, per gross	0	1	
	Emery, per cwt.	0	2	
15	Ditto stones, per cwt.	0	1	
	Empty bottles, per dozen	0	0½	
	Ditto bags and sacks, per cwt.	0	2	
	Ditto cask, pipe, or puncheon, each	0	2	
	Ditto hogshead, barrel, or kilderkin, each	0	1	
20	Empty case, basket, or package, per five cubic feet	0	1	
	Flour, per ton	2	0	
	Feathers, per cwt.	0	6	
	Fish, wet or core and dry, per cwt.	0	1	
	Pilchards, cured, per hogshead	0	3	
25	Herrings, cured, per barrel	0	4	
	Other cured, per cwt.	0	1	
	Fruit, green, per cwt.	0	1	
	Ditto, dry, per cwt.	0	2	
	Flax, per ton	2	0	
30	Furniture, household, including musical instruments, pictures, paintings, and mirrors, &c., per cubic foot	0	1	
	Felt, per cwt.	0	1	
	Flock, per bag	0	3	
	Floor cloth, per cwt.	0	4	
35	Flower roots, plants, or trees, in packages, per cubic foot	0	1	
	Fuel, patent, per ton	1	0	
	Gates, common, wooden, each	0	2	
	Glue, per cwt.	0	2	
	Glass, per box, crate, or package, per cubic foot	0	1	
40	Groceries:			
	Angelica, per cwt.	0	3	
	Arrowroot, per cwt.	0	3	
	Cinnamon, per cwt.	1	0	
	Cloves, per cwt.	1	0	
45	Currants, per cwt.	0	1½	
	Cocoa, per cwt.	0	2	
	Coffee, per cwt.	0	3	
	Cranberries, per 5 gallons	0	1	
	Dates, per cwt.	0	2	
50	Figs, per cwt.	0	2	
	Ginger, per cwt.	0	2	
	Ginger bread, per cwt.	0	2	
	Groats, per cwt.	0	2	
	Lemons, per chest	0	4	
55	Ditto, per box	0	2	
	Maccaroni, per cwt.	0	4	
	Mace, per cwt.	1	0	
	Mustard, per firkin of 72 lbs.	0	3	
	Ditto, per firkin of 36 lbs.	0	2	

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Groceries—*continued.*	s.	d.
Nutmegs, per cwt.	1	0
Nuts, per cwt.	0	2
Oranges, per chest	0	4
Ditto, per box	0	2
Olives, per barrel	0	2
Ditto, per jar	0	1
Pepper, per cwt.	0	3
Preserves, per cwt.	0	4
Pickles, per cwt.	0	3
Raisins, per cwt.	0	2
Rice, per cwt.	0	2
Spices, not enumerated, per cwt.	1	0
Sago, per cwt.	0	2
Tea, per cwt.	0	4
Tapioca, per cwt.	0	3
Vermicelli, per cwt.	0	6
Gunpowder, per cwt.	0	4
Grapes, per barrel or jar	0	2
Gravel or sand, per ton	0	3
Grease or greaves, per cwt.	0	1
Hoops, wooden, per dozen	0	1
Ditto, iron, per cwt.	0	1
Hurdles, wooden or wicker, per dozen	0	2
Hemp, per ton	2	0
Hops, per pocket	0	6
Hides, bullocks, raw or dry, per ton	2	0
Hides, fleshings, and rounding or glue pieces, per cwt.	0	2
Hair, per cwt.	0	3
Hay, per ton	2	0
Hanks for sails, per dozen	0	1
Honey, per gallon	0	1
Hoofs, per cwt.	0	1
Horns, per 100	0	4
Handles, broom, brush, shovel, and other, per dozen	0	1
Haberdashery, hosiery, and millinery, in bales, per cwt.	0	4
Ditto, ditto, in boxes, per foot	0	1
Hardware, per cwt.	0	2
Iron metal, pig, bar, and bolt, per ton	1	0
Ditto, castings, per ton	2	0
Ditto, wrought or manufactured articles, per cwt.	0	2
Ice, per ton	0	6
Indigo, per cwt.	1	6
Isinglass, per cwt.	0	6
Ivory, per cwt.	1	0
Ditto, black, per cwt.	0	1
Junk or old rope, per cwt.	0	1
Kelp, per ton	2	0
Lead, pigs of, per ton	1	6
Ditto, sheet, per cwt.	0	1
Leather, tanned, per cwt.	0	2
Ditto, wrought, per cwt.	0	3
Lime, per ton	0	5
Lamp black, per cwt.	0	6
Molasses, per cwt.	0	2
Malt, per quarter	0	6
Marble, unworked, per ton of 12 feet	1	6
Ditto, worked, per ton of 12 feet	5	0

		s.	d.	*Torquay.*
	Machinery, iron, per ton	2	6	
	Ditto, wood and iron mixed, per foot	0	1	
	Machines or implements, agricultural:			
5	Chaff cutters, for every 5 feet	0	2	
	Corn bruisers, for every 5 feet	0	2	
	Harrows, each	0	6	
	Ploughs, each	0	6	
	Rakes, hand, per dozen	0	2	
10	Ditto, horse, each	0	6	
	Scythes, per dozen	0	6	
	Spades, per dozen	0	3	
	Threshing, for every 5 feet	0	2	
	Winnowing, for every 5 feet	0	2	
15	Meat:			
	Salt or preserved, per cwt.	0	3	
	Bacon, per cwt.	0	3	
	Hams, per cwt.	0	3	
	Tongues, per cwt.	0	3	
20	Mats, per dozen	0	2	
	Matting, per cubic foot	0	0½	
	Maunds or hampers, new, per dozen	0	2	
	Meal, per cwt.	0	1	
	Mops and brushes, per dozen	0	3	
25	Millstones, each	0	6	
	Manure:			
	Artificial or manufactured bones, dissolved, and bone dust, per ton	1	6	
	Dung, per load	0	3	
	Earth, per load	0	3	
30	Guano, per ton	2	0	
	Fish, per ton	0	3	
	Metal, bell, per cwt.	0	2	
	Nails, iron, per cwt.	0	1	
	Nets or netting, per 5 cubic feet	0	4	
35	Oil, castor, per cwt.	0	4	
	Ditto, in flasks, per chest or package of 100 lbs.	0	4	
	Ditto, not enumerated, per hogshead	0	10	
	Oysters, per cwt.	0	1	
	Ochre, per cwt.	0	1	
40	Oakum, per cwt.	0	1	
	Onions, per cwt.	0	1	
	Ores and Minerals:			
	Black jack, per ton	0	6	
	Copper ore, per ton	0	6	
45	Iron ore, per ton	0	6	
	Manganese, per ton	0	6	
	Mundic, per ton	0	6	
	Lead ore, per ton	0	6	
	Tin ore, per ton	0	6	
50	Paper, stationers', per cwt.	0	4	
	Ditto, common, per cwt.	0	1½	
	Potatoes, per ton	2	0	
	Plaster of Paris, unwrought, per ton	0	6	
	Ditto, wrought, per cwt.	0	1	
55	Paints and painters' colours, and putty, per cwt.	0	2	
	Petroleum, per ton	5	0	
	Pipes, for smoking, per hogshead	1	0	
	Ditto, common or earthenware draining, per ton	1	0	
	Ditto, glazed, or other sewer pipes, per ton	1	6	

Torquay.

	s.	d.
Pumice stones, per cwt.	0	1
Quicksilver, per cwt.	0	9
Rags, per cwt.	0	1
Seeds, agricultural, per cwt.	0	6
Ditto, garden, per cwt.	1	0
Slate, rag, unwrought, and other, per ton	1	0
Soap, per cwt.	0	2
Sugar, refined, per cwt.	0	2
Ditto, moist or soft, per cwt.	0	1½
Shumack, per cwt.	0	2
Stone:		
Blue lias, unmanufactured, per ton	0	5
Cement, unmanufactured, per ton	0	5
Flint, per ton	0	3
Filtering, each	0	1
Flag, rough, per 100 feet	1	2
Ditto, worked, per 100 feet	2	0
Free, per ton	1	2
Grinding, per cwt.	0	1
Granite, per ton of 14 feet	0	8
Lime, per ton	0	3
Portland, per ton	0	8
Rubble, per ton	0	3
Salt, per ton	1	0
Ditto, coarse, for manure or other purposes, per ton	0	6
Spirits:		
Brandy, gin, rum, whiskey, per pipe, butt, or puncheon	2	0
Ditto, per hogshead	1	0
Shot, per cwt.	0	1
Sails, per cwt.	0	4
Skins:		
Horse, calf, or sheep, per score	0	3
Other, per score	0	6
Steel, unwrought, per cwt.	0	2
Saltpetre, per cwt.	0	2
Silk:		
Raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
Manufactured in package, per foot	0	2
Snuff, per cwt.	0	4
Soda, per ton	1	0
Soda water, per dozen	0	2
Solder and spelter, per cwt.	0	2
Spermaceti, per cwt.	0	8
Spokes for wheels, per dozen	0	2
Naves for wheels, per dozen	0	6
Sponge, per cwt.	1	6
Starch, per cwt.	0	2
Succades and sweetmeats, per cwt.	0	4
Sulphur, per cwt.	0	3
Tin, per cwt.	0	1
Trawl beams, each	0	4
Tallow, per cwt.	0	2
Tobacco, per cwt.	0	4
Turpentine, per cwt.	0	6
Talc, per cwt.	0	4
Tar, coal, per 100 gallons	0	6

		s.	*d.*
	Tar, other, pitch, or resin, per barrel	0	2
	Terra japonica, per ton	2	0
	Thrumbs, per ton	0	4
5	Tow, per cwt.	0	1
	Toys, in boxes, per foot	0	1
	Treacle or molasses, per puncheon	1	0
	Ditto, per half puncheon	0	6
	Ditto, per small cask	0	3
10	Treenails or Treennells, per 1,000, under 2 feet in length	0	6
	Ditto, per 1,000, exceeding 2 feet in length	1	0
	Twine, per cwt.	0	3
	Type, per cwt.	0	6
	Tiles, crease, ridge, or other, per ton	1	3
15	Valonia, per ton	2	0
	Vinegar, per hogshead	1	0
	Varnish, per cwt.	0	3
	Vegetables, per cwt.	0	1
	Vitriol, per carboy	0	6
20	Verdigris, per cwt.	0	1
	Wool, per cwt.	0	4
	Wire, iron, per cwt.	0	2
	Wax, per cwt.	0	2
	Whalebone, per 12 lbs.	0	2
25	Wheelbarrows, each	0	2
	Whetstones, per gross	0	2
	Whitening, per cwt.	0	1
	Wine, per hogshead	1	0
	Ditto, in bottles, per gallon	0	1
30	Wood:		
	Mahogany, cedar, rose, satin, and other furniture woods in bulk, per load of 50 feet	3	0
	Square baulk oak, pine, fir, or other timber not enumerated, per load of 50 feet	1	0
35	Deals, planks, or battens, per load of 50 feet	1	3
	Boards, rough or planed, per load of 50 feet	1	6
	Spars, per load of 50 feet	1	3
	Lignum vitæ, box, ebony, log, and dyers', per ton	2	0
	Round, per 40 feet, string measure	1	0
40	Boards for veneering, per cubic foot	0	2
	Staves, pipe, double, per 100	1	0
	Ditto, ditto, single, per 100	0	6
	Staves, hogshead or barrel, double, per 100	0	6
	Ditto, ditto, single, per 100	0	3
45	Lathwood, of 6 feet length, per fathom	3	0
	Laths, per 1,000	0	2
	Oars, per dozen	0	6
	Handspikes, per 100	2	0
	Firewood, per ton	1	0
50	Yarn, per cwt.	0	2
	Zinc, per cwt.	0	1

And so in proportion for any greater or less quantities, but no sum less than $\frac{1}{2}d.$; and for all other goods not enumerated, but corresponding or nearly corresponding with those specially charged herein, in the
55 like proportion thereto, according to their nature and quality; and for other goods per barrel bulk 2*d.*; per ton 2*s.* 6*d.*; 5 cubic feet not exceeding $2\frac{1}{2}$ cwts. being rated as a barrel bulk; and when the weight of 5 cubic feet is greater than $2\frac{1}{2}$ cwts., then $2\frac{1}{2}$ cwts. shall

Torquay.

be rated as a barrel bulk; and the charge by barrel bulk shall apply to all articles that can be measured, and by weight to all others, and the gross weight or measurement shall be taken.

TABLE III.—RATES FOR THE USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1st. Cranes.

		s.	*d.*
All goods or packages, not exceeding 1 ton	- - -	0	6
Ditto	exceeding 1 ton and not exceeding 2 tons -	0	8
Ditto	exceeding 2 tons and not exceeding 3 tons -	0	10
Ditto	exceeding 3 tons and not exceeding 4 tons -	1	0
Ditto	exceeding 4 tons and not exceeding 5 tons -	1	2
Ditto	exceeding 5 tons and not exceeding 6 tons -	1	4
Ditto	exceeding 6 tons and not exceeding 7 tons -	1	6
Ditto	exceeding 7 tons and not exceeding 8 tons -	2	0
Ditto	exceeding 8 tons and not exceeding 9 tons -	2	6
Ditto	exceeding 9 tons and not exceeding 10 tons -	3	0

And exceeding 10 tons by special agreement with the harbour-master; but no crane is to be used for a greater weight than it is constructed to carry.

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton - - -	0	2

3rd. Sheds.

For every parcel or quantity of goods of 8 barrels bulk, or of 1 ton of 20 cwts., deposited in the sheds, the sum of 3*d.* per ton for each day or part of a day during which such goods shall remain, and in that proportion for every greater or less quantity, but not less than 1*d.* shall be charged.

TABLE IV.—RATES ON PASSENGERS LANDING OR EMBARKING IN THE NEW OR THE OLD HARBOUR (AS THE CASE MAY BE).

For every passenger - - - - - -	0	3

TABLE V.—RATES FOR PROMENADERS ON THE PRESENT BREAKWATER, OR ON THE PIER OR BREAKWATER, EXTENSION OF BREAKWATER, OR WHARF, AUTHORIZED BY THE FOREGOING ORDER.

For every person who shall use any part of the works lastly above described for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - - - - - -	0	2
For every bath or sedan chair taken on any part of those works, for each time any sum not exceeding - - - -	0	6
For every perambulator taken thereon, for each time any sum not exceeding - - - - - -	0	2

OBAN.

Provisional Order of the Board of Trade to enable the Trustees of the late John Marquess of Breadalbane to construct further Works at the Harbour of Oban in the County of Argyll; and to levy Rates; and for the Improvement and Maintenance and Regulation of the said Harbour.

Whereas, under The Pier and Harbour Order Confirmation Act, 1862, the Oban Pier and Harbour Order set out in the Schedule thereto, made under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, (which Order is herein-after called the Order of 1862,) empowering the Most Honourable John Marquess of Breadalbane, now deceased, to improve, maintain, and regulate the Pier and Harbour at Oban aforesaid in the county of Argyll, was confirmed: Preamble.

And whereas the Right Honourable Fox Earl of Dalhousie, the Honourable Charles Baillie, one of the Senators of the College of Justice, and Alexander Currie, Esq., one the principal Clerks of Session in Scotland, accepting and acting trustees appointed by the said deceased John Marquess of Breadalbane by his trust disposition and settlement dated the 26th day of November 1847, and registered along with other relative writings in the Books of Council and Session in Scotland the 26th day of December 1862, and now vested with the lands, pier and harbour, and other properties at Oban which belonged to the said deceased Marquess, herein-after called the promoters, made application by a memorial to the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, herein-after called the Board of Trade, representing that the works undertaken by the Order of 1862 had been completed, and praying their Lordships to grant another Provisional Order to amend the Order of 1862, and containing powers to them to construct a sea wall and breastwork and other works at the said pier and harbour, and to levy rates at the said pier and harbour and breastwork, and for other purposes:

And whereas the estimated expenditure on the said proposed works is two thousand five hundred pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which by the thirdly-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled the present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise

Oban.

of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order the following provisions shall take effect and be in force:

The undertakers.

1. The said Fox Earl of Dalhousie, Charles Baillie, and Alexander Currie, and the survivors and survivor of them, and the trustee or trustees to be assumed by them under the powers contained in the said trust disposition and settlement, and proprietors for the time being of the pier and harbour of Oban and works hereby authorized, shall be the undertakers under this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plan as intended to be taken for the purpose of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation (Scotland) Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plan and section, make and maintain the further works at the said pier and harbour shown on the deposited plan.

Description of Works.

5. The works authorized by this Order are the following:

A breastwork and sea wall and relative works commencing on the eastern side of the existing pier which belonged to the said deceased Marquess, and is now vested in the undertakers, and at a point 38 lineal yards or thereby south of the north-western or seaward extremity of the said pier, and extending a distance of 280 lineal yards or thereby from the said existing pier in a northerly direction, and terminating at or near to the southern and seaward extremity of the breastwork or sea wall which is already constructed in front or seaward of Columbia Terrace, on the lands of Dunolly, or at or near to the stream on the south end of the said last-mentioned breastwork, all situated at the town of Oban in the united parishes of Kilmore and Kilbride in the county of Argyll.

Time for completion of works.

6. The time for the completion of the works authorized by this Order shall be three years after the passing of an Act confirming this Order.

Partial repeal of Order of 1862.

7. The provision of the Order of 1862, whereby The Harbours, Docks, and Piers Clauses Act, 1847, with respect to rates, and to the collection and recovery of rates, and sections 16, 17, 18, and 19 in that Act contained, were declared not to be incorporated with that Order, shall, in so far as respects rates, and the collection and recovery of rates, be repealed, but the said sections 16, 17, 18, and 19 shall not be incorporated with the Order of 1862, or this Order.

Limits of harbour.

8. The limits of this Order shall be the limits or area shown in pink on the Admiralty plan or chart of Oban Bay, surveyed by Captain Robinson and Lieutenant

Lieutenant Creyke, of the Royal Navy, and published at the Hydrographic Office of the Admiralty on 1st October 1856, of which copies, having the said limits or area coloured as aforesaid, were, on or before 30th November 1863, deposited (with the other documents deposited under the Act thirdly hereinbefore mentioned on or before the last-mentioned date) at the office of the Sheriff Clerk of Argyllshire, at Inverary, at the Custom House at Greenock, and in the office of the Board of Trade. *Oban.*

Rates.

9. The undertakers may, from and after the passing of an Act confirming this Order, at the said existing pier and works, and from and after the date when the breastwork and sea wall and relative works authorized by this Order are completed, and a certificate of such completion is obtained in terms of The Harbours, Docks, and Piers Clauses Act, 1847, then also at such breastwork and sea wall and works, demand and receive in respect of the vessels, passengers, goods, matters, and things described in the Schedule hereunto annexed embarked, landed, loaded, or unloaded at or using the said pier, breastwork, sea wall or works, any sum not exceeding the rates in the said Schedule specified.

Customs officers exempt from rates.

10. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress on, into, along, through, and out of the pier and harbour by land, and with their vessels and otherwise, without payment.

Borrowing power.

11. The undertakers may borrow on mortgage or bond at interest such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of two thousand five hundred pounds, and they shall regularly keep down the interest accruing on the money so borrowed, and shall not allow such interest to accumulate, and shall repay the money borrowed within fifty years from the time of borrowing.

Application of receipts.

12. The rates received under this Order shall be applicable to the purposes and in the order following, and not otherwise:

(1.) In paying the expenses of the maintenance, management, and regulation of the existing pier and harbour, and new works authorized by this Order.

(2.) In paying the interest on any money borrowed under this Order, and any sum payable on account of the principal thereof.

(3.) To the proper use of the undertakers.

Meters and weighers.

13. The undertakers shall have the appointment of meters and weighers on and within the pier and harbour, breastwork, sea wall, and works.

Steam engines, diving bells, lighters, &c.

14. The undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Pilotage.

15. The undertakers shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, and the other Acts construed with and as part of the same, with all the powers by these Acts conferred on pilotage authorities and local authorities.

 16. Nothing

Oban.

Not to affect powers under the trust deed.

16. Nothing herein contained shall affect or prejudice the rights and powers of the undertakers under the trust disposition and settlement before mentioned of the said deceased Marquess of Breadalbane as to the management or disposal of the lands, pier, and harbours, and other properties at Oban which belonged to the said deceased Marquess, with their appurtenances, now vested or that may be vested in them as his trustees.

Short title.

17. This Order may be cited as The Oban Pier and Harbour Order, 1864.

Board of Trade, Whitehall,
Dated this 12th day of April 1864.

(Signed) JAMES BOOTH,
Secretary.

SCHEDULE to which this Order refers.

	s.	*d.*
Ale, beer, or porter, per hogshead	0	6
Animals. See Horse, &c.		
Asphalte, per ton	0	6
Bark in bulk or bag, per ton	0	10
Ballast, per ton	0	1
Beef, fresh or salt, per cwt.	0	2
Biscuit and bread, per cwt.	0	2
Bones, per ton	0	6
Books and stationery, per cwt.	0	4
Bone dust, per ton	0	8
Bottles, per gross	0	2
Boxes, full, per barrel bulk	0	4
Bricks, per 1,000	0	8
Butter, per cwt.	0	2
Carriages with four wheels, each	0	8
Carriages with two wheels, each	0	6
Cattle, each	0	2
Casks, empty, not being returned, each	0	3
Cement, per barrel	0	2
Cheese, per cwt.	0	4
Chimney cans, each	0	2
Clay, per ton	0	6
Cloth, haberdashery, per barrel bulk	0	2
Clover seed, per quarter	0	2
Coach or cart wheels, per pair	0	2
Coals, per ton	0	3
Copper and brass, per ton	1	4
Corks, per barrel bulk	0	2
Corn, per quarter	0	2
Cordage, per cwt.	0	3
Crystal and crockery, per barrel bulk	0	2
Dogs, each	0	2
Drugs, per barrel bulk	0	2
Dissolved bones, per ton	0	8

		s.	d.	*Oban.*
	Earthenware, per barrel bulk	0	2	
	Eggs, per barrel bulk	0	2	
	Felt, per cwt.	0	1	
5	Fish, fresh, salted, or dried, per cwt.	0	1	
	Flax, per cwt.	0	1	
	Flour, per sack or barrel	0	2	
	Fowls and ducks, live, per dozen	0	2	
	Freestone, per ton	0	2	
10	Fruit, per cwt.	0	1	
	Gates, each	0	2	
	Geese and turkeys, live, each	0	1	
	Glass, per barrel bulk	0	3	
	Grain, per quarter	0	2	
15	Grates or stoves, each	0	2	
	Gravel, per ton	0	1	
	Grease and greaves, per cwt.	0	1	
	Groceries, per barrel	0	3	
	Guano and artificial manures, per ton	0	8	
20	Gunpowder, per cwt.	0	1	
	Hardware, per barrel bulk	0	3	
	Hares and rabbits, per dozen or any less quantity	0	2	
	Hay, per ton	0	6	
	Hemp and cotton, unwrought, per ton	1	4	
25	Hides, each	0	0½	
	Household furniture, per barrel bulk	0	2	
	Hurdles, each	0	1	
	Herrings, cured, per barrel	0	3	
	Ditto, fresh, per cran	0	1	
30	Horses, asses, and mules, each	0	2	
	Husbandry utensils, per ton	1	4	
	Iron, all kinds, per ton	1	0	
	Kelp, per ton	0	8	
	Lambs, per score	0	3	
35	Lathwood, per bundle	0	0½	
	Lead of all kinds, zinc, per ton	1	4	
	Leather, per cwt.	0	1	
	Lime, per barrel	0	1	
	Limestone, per ton	0	3	
40	Machinery, per ton	1	4	
	Malt, per quarter	0	4	
	Manure, per ton	0	2	
	Masts and spars, each	1	6	
	Meal, per bag of 280 lbs. or barrel	0	2	
45	Meat, per cwt.	0	2	
	Milk, per three large pitchers	0	0½	
	Millstones, each	0	6	
	Oakum, per cwt.	0	1	
	Oil, per ten gallons	0	4	
50	Oil cake, per ton	0	8	
	Oysters, per bushel	0	2	
	Passengers' luggage not exceeding 4 barrel bulk	free		
	Ditto ditto all above ditto, per barrel bulk	0	3	
	Pease or beans, per quarter	0	2	
55	Peats, per ton	0	4	
	Pigs, each	0	0½	
	Ploughs.—See husbandry utensils.			
	Potatoes, per ton	0	6	
	Rape cakes, per ton	0	8	

Oban.

	s.	d.
Rags, per cwt.	0	1
Ropes, per cwt.	0	3
Ryegrass seeds, per quarter	0	2
Salt, per cwt.	0	0½
Sand, per ton	0	3
Seaware or wreck, per ton	0	1
Seeds, not enumerated, per cwt.	0	1
Sheep, per score	0	6
Skins, dried, per dozen	0	4
Slates, under Size, per 1,000	0	6
Do., sizeable, per 1,000	0	8
Do., over Size, per 1,000	1	0
Sodawater or lemonade, per gross	0	6
Spirits, per 56 gallons	0	8
Spokes and naves for wheels, per gang	0	2
Steel, per ton	1	4
Stones, per ton of 16 cubic feet	0	2
Stones, pavement, per ton of 16 cubic feet	0	4
Straw, per ton	0	4
Stucco, per barrel	0	4
Sugar, per hogshead	0	6
Tallow, per ton	1	4
Tar, pitch, or rosin, per barrel	0	2
Tea, per cwt.	0	6
Tiles or pipes, per 1,000	0	8
Turpentine, per hogshead	0	8
Timber, unwrought, of all kinds, per load of 50 cubic feet	0	8
Tin of all kinds, per ton	1	4
Turnips, per ton	0	6
Tobacco, per ton	2	6
Vitriol, per carboy	0	2
Whisky, per 56 gallons	0	8
Wine in cask, per hogshead	1	0
Do. in bottle, per dozen	0	1
Wool, per stone	0	1
Yarn, per cwt.	0	1
All other unenumerated articles to pay at landing or shipping—		
If by measurement, per barrel bulk	0	2
If by weight, per ton	1	4

Articles which can be measured to pay by barrel bulk; all others by weight.

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding two and a half hundredweight, to be rated as a barrel-bulk; but when the weight of five cubic feet is greater than two and a half hundredweight, then two and a half hundredweight to be rated as a barrel-bulk.

RATES ON VESSELS USING THE PIER, SEA WALL, OR BREASTWORK.

Every vessel, other than open or undecked vessels, using the pier, sea wall, or breastwork, or discharging or shipping goods within the harbour, shall pay 2*d.* per ton burden.

Every undecked vessel, 1*d.* each.

Bonâ fide pleasure boats landing or embarking passengers at the boat slip on the breastwork, free.

RATES

RATES ON PASSENGERS.

For every person, excepting as under mentioned, landing from or embarking in any vessel at the pier, sea wall, or breastwork, 2*d.*

For every reaper and every person in charge of goods paying rates, $\frac{1}{2}d.$

RATES FOR THE USE OF SHEDS, CRANES, AND WEIGHING MACHINES.

Sheds.

For each ton of goods of eight barrels bulk, or for each ton of goods of twenty hundredweights, which shall remain in any shed or on the pier, sea wall, or breastwork for a longer time than 48 hours, the sum of 4*d.*; and the sum of 2*d.* per ton for each day during which such goods shall remain after the first 48 hours.

Cranes.

	s.	*d.*
All goods or packages not exceeding one ton	0	3
Exceeding one ton and not exceeding two tons	0	4
Exceeding two tons and not exceeding three tons	0	6
Exceeding three tons and not exceeding four tons	0	8
Exceeding four tons and not exceeding five tons	0	10
Exceeding five tons and not exceeding six tons	1	0
Exceeding six tons and not exceeding seven tons	1	2
Exceeding seven tons and not exceeding eight tons	1	4
Exceeding eight tons and not exceeding nine tons	1	8
Exceeding nine tons and not exceeding ten tons	2	0
Exceeding ten tons	3	0

Weighing Machines.

For goods weighed, 1*d.* for each ton or part of a ton.

Pier and Harbour Orders Confirmation.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

For confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Brighton, Eastbourne, Sandown, Walton-on-the-Naze, Clevedon, Rhyl, Bray, Kircubbin, Walton (Suffolk), Holywood, Exe Bight, Lytham, Ardglass, Filey, Greenock, Carlingford Lough, Wexford, Torquay, and Oban.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed,* 14 *June* 1864.

[Bill 149.]

Under 17 *oz.*

LORDS AMENDMENTS

TO THE

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Note.—*The Page and Line refer to the Bill* (151.) *as first printed by the Lords.*

Page 3.

Line 18. Leave out from ("thereof") to ("I") in Line 23. and insert

("As soon as the Channel or Cut to be made in the Bar, or at "the Entrance or Mouth of Carlingford Lough, shall be made of a "Depth of Eleven Feet at least below Low-water Mark as shown "on the deposited Plans and Sections, and of a Width of Three "hundred Feet at least, the Commissioners may begin and may "thenceforth continue to demand and receive the Rates authorized "by this Order, subject nevertheless to the following Provisions")

Page 4.

Line 16. After the Second ("of") insert ("Eleven or")

Line 17. After ("be) ") insert ("and of the Width of Three "hundred Feet at least")

Page 5.

Line 3. Leave out from ("respectively") to ("and") in Line 4.

Line 26. After ("Harbour") insert

"The Clauses numbered 8 and 15 of the said Oban Pier and "Harbour Order shall be deemed to be and the same are by this "Act expunged from the said Order.

"The Clause following shall be held to be inserted in the said "Order instead of Clause 8. thereof:

"The Limits of this Order shall be the Area within a Portion of "a Circle of Two hundred and fifty Yards Radius drawn seawards "from the Head of the existing Pier taken as a Centre: Provided "that nothing contained in this Order or in the Acts herein recited "shall prevent the Appointment of a Harbour Master for the Bay "of Oban under the Authority of any Act of Parliament or "Provisional Order hereafter to be passed with Powers and Juris-"diction extending over the whole of the said Bay, including the "Area within the Limits above referred to, but not any Portion of

" the Works of the Undertakers, and on the Appointment of such " Harbour Master the Powers and Authorities conferred on or " exerciseable by any Harbour Master to be appointed under the " Authority of this Order or the Acts herein recited shall cease and " determine, except as regards the said Works of the Undertakers.

" The Fourteenth, Fifteenth, and Sixteenth Sections of ' The " General Pier and Harbours Act, 1861, Amendment Act,' shall " apply to the said Order and to the Undertakers under the same, as " if the said Undertakers were a Company incorporated by the said " Order for the Purposes of the Undertaking, and the Word " ' Company ' in the said Sections shall mean the said Under- " takers: Provided that the clear annual Profits on the Average of " Three Years referred to in the said Fourteenth Section shall, " with regard to the said Order and for the Purposes specified in the " said Sections, be held to be a Sum not exceeding One thousand " Pounds ")

Line 28. Leave out (" with ") and insert (" subject to "), and after (" thereto ") insert (" respectively ")

Line 30. Leave out (" Omissions ")

Line 35. After (" Vessels ") insert (" belonging to Countries " with which Treaties exist, excepting from Duties and Port " Charges such Vessels when forced by Stress of Weather to seek " Shelter in the Ports or on the Coasts of the United Kingdom, " shall, when ")

Line 38. Leave out (" shall ")

Line 39. After (" Harbour ") insert Clause (A.)

Clause (A.) Nothing in this Act, or in the Walton (Suffolk) Pier Order confirmed by this Act, shall authorize the Construction of any Jetty, Pier, Embankment, or other Work so as to interfere with any Battery already erected at Walton aforesaid, or to mask the Fire of the Guns thereof ")

Page 130.

Line 51. Leave out the First (" or ") and insert (" for ")

LORDS AMENDMENTS

TO THE

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Ordered, by The House of Commons, *to be Printed,*
27 *July* 1864.

[Bill 241.]

Under 1 *oz.*

509

A

BILL

FOR

Confirming a Provisional Order concerning Pilotage made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to Hartlepool.

WHEREAS a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament: Preamble.

And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act, and set out in the Schedule hereto, should be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Provisional Order set out in the Schedule hereto shall be and is hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the *passing of this Act*, take effect and have full Validity and Force. Confirmation of Order.

2. This Act may be cited as The Pilotage Order Confirmation Act, 1864. Short Title.

SCHEDULE.

HARTLEPOOL.

Provisional Order of the Board of Trade for constituting Pilotage Commissioners for Hartlepool in the County of Durham, and for regulating their Jurisdiction.

Preamble.

Whereas, under The Merchant Shipping Act Amendment Act, 1862, the ship-owners and merchants resident and carrying on business within the port of Hartlepool made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Act to transfer that portion of the jurisdiction in pilotage matters within the port of Hartlepool then and now exercised by the Trinity House of Newcastle-upon-Tyne, and the moneys belonging thereto, to a local pilotage authority to be constituted by such Order:

And whereas notice of the application aforesaid was published according to the requirements of the said Act:

And whereasthe Board of Trade at the time in the said Act appointed in this behalf referred the said application to the pilotage authority of the district, namely, the Trinity House of Newcastle-upon-Tyne, and more than six weeks have elapsed since such reference before the making of the present Provisional Order:

And whereas the Board of Trade, after making such inquiries as they thought expedient, and after considering all objections, determined to proceed with the proposed Provisional Order, and accordingly have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not have any effect):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The Merchant Shipping Act Amendment Act, 1862, and by virtue and in exercise of the powers thereby in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Preliminary.

Interpretation.

1. In this Order—

The term "the Act of 1855" means the Hartlepool Port and Harbour Act, 1855:

The

The term "the East Dock Company" means the Company for the time being in actual possession of the works and property at Hartlepool which were at the time of the passing of the Act of 1855 vested in, belonging to, or in the possession of the North Eastern Railway Company, or their Lessees:

The term "the West Dock Company" means the Company for the time being in actual possession of the works and property at West Hartlepool which were at the time of the passing of the Act of 1855 vested in, belonging to, or in the possession of the West Hartlepool Harbour and Railway Company:

The term "the Hartlepool Pilots" means the persons for the time being licensed as Pilots for Hartlepool:

The term "the West Hartlepool Pilots" means the persons for the time being licensed as Pilots for West Hartlepool:

The term "the registered Shipowners of Hartlepool" means the Shipowners registered in the Custom House Books at Hartlepool:

The term "the registered Shipowners of West Hartlepool" means the Shipowners registered in the Custom House Books at West Hartlepool.

Hartlepool Pilotage Commissioners.

Incorporation of Commissioners.

2. There shall be a body of Commissioners for carrying this Order into execution, the full number of whom shall be fourteen, which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Hartlepool Pilotage Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of land and other property for the purposes, but subject to the restrictions, of this Order. The term "the Commissioners" herein-after used means the Hartlepool Pilotage Commissioners.

Appointment and election of Commissioners.

3. The appointment and election of the several Commissioners shall be regulated as follows:

(1.) The Board of Trade shall, as soon as may be after the passing of an Act confirming this Order, appoint three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those three Commissioners shall appoint another person to fill the vacancy, and so toties quoties:

(2.) The Hartlepool Port and Harbour Commissioners incorporated by the Act of 1855 shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(3.) The East Dock Company, acting by the Directors of the Company, shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(4.) The West Dock Company, acting by the Directors of the Company, shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(5.) The Hartlepool Pilots shall from time to time elect one person to be a Commissioner:

(6.) The West Hartlepool Pilots shall from time to time elect one person to be a Commissioner:

(7.) The registered Shipowners of Hartlepool shall from time to time elect three persons to be Commissioners:

(8.) The registered Shipowners of West Hartlepool shall from time to time elect three persons to be Commissioners.

Tenure of office of appointed Commissioners.

4. Each appointment of a Commissioner (other than Commissioners elected by Pilots and by Shipowners) shall be determinable at any time by the authority which appointed that Commissioner, and (subject thereto and to the other provisions of this Order, and of any Act incorporated herewith) each such appointment shall be operative for *five years* and no longer, but at the end of the term of *five years* an outgoing Commissioner shall be capable of re-appointment.

Election of Commissioners by Hartlepool Pilots.

5. With respect to the election of Commissioners by the Hartlepool Pilots the following provisions shall take effect:

(1.) The first meeting of Hartlepool Pilots for the election of a Commissioner shall be held at the Town Hall of the borough of Hartlepool within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Messrs. Turnbull and Bell of West Hartlepool, solicitors, or in their default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(2.) Annual meetings of Hartlepool Pilots for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Hartlepool as the Commissioners from time to time appoint, on such day within ten days next before the 23rd day of August in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(3.) Such only of the Hartlepool Pilots as are licensed at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting, and to take part and vote in the election of a Commissioner thereat:

(4.) Such only of the Hartlepool Pilots as are licensed on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings, and to take part and vote in the election of Commissioners thereat respectively:

(5.) At each annual meeting the Chairman of the Commissioners, or in his unavoidable absence one of the Commissioners appointed by the Board of Trade, shall attend and act as chairman of the meeting:

(6.) The

(6.) The election of Commissioners at the first and each annual meeting shall be made by the majority of licensed pilots present at the meeting:

(7.) Each Commissioner elected at the first or at any annual meeting shall go out of office at the next annual meeting, but shall be re-eligible:

(8.) Section nineteen of The Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by West Hartlepool Pilots.

6. With respect to the election of Commissioners by the West Hartlepool Pilots, the provisions of the last foregoing section shall apply in that case as if they were here repeated, with the substitution only of the West Hartlepool Pilots for the Hartlepool Pilots, and of the Athenæum of West Hartlepool for the Town Hall of the borough of Hartlepool.

Election of Commissioners by Hartlepool Shipowners.

7. With respect to the election of Commissioners by the registered Shipowners of Hartlepool, the following provisions shall take effect:

(1.) The first meeting of the registered Shipowners of Hartlepool for the election of Commissioners shall be held at the Town Hall of the borough of Hartlepool within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Messrs. Turnbull and Bell of West Hartlepool, solicitors, or in their default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(2.) Annual meetings of the registered Shipowners of Hartlepool for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Hartlepool as the Commissioners from time to time appoint, on such day within ten days next before the 23rd day of August in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(3.) Such only of the registered Shipowners of Hartlepool as are registered at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting, and to take part and vote in the election of a Commissioner thereat:

(4.) Such only of the registered Shipowners of Hartlepool as are registered on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings, and to take part and vote in the election of Commissioners thereat respectively:

(5.) At the first and every such annual meeting a list of the names of the registered Shipowners of Hartlepool, up to and inclusive of the then last 31st day of December, certified under the hand of the Collector of Customs of the port, shall be sufficient evidence of the persons therein being registered Shipowners of Hartlepool, and as such entitled to attend the meeting and take part and vote in the election thereat. The said Collector shall supply a copy of such list to every person requiring the same on payment of the sum of 6*d.* for every 100 words of such copy, and copies of such list shall be fixed by the Clerk of the

Commissioners on the outer doors of the Town Hall of the borough of Hartlepool and of the Athenæum of West Hartlepool two days at least before the day appointed for the first and each such annual meeting:

(6.) At the first and each such annual election each registered Shipowner of Hartlepool shall be entitled to one vote and no more for each of the persons then proposed to be elected as Commissioners:

(7.) The election of Commissioners at the first and each such annual meeting shall be made by the majority of registered Shipowners of Hartlepool present at the meeting:

(8.) Every person elected as a Commissioner by the registered Shipowners of Hartlepool shall be required to have the following qualification; namely, to possess, in his own right, shipping registered in his own name at the Custom House of the port of Hartlepool on the 31st day of December next before the day of election, such shipping being of the then market value, above all encumbrances thereon, of not less than 150 tons of shipping at the port of Hartlepool:

(9.) Such one of the Commissioners elected by the registered Shipowners of Hartlepool at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be re-eligible; such one of them as is named second on the list shall go out of office at the third meeting, but shall be re-eligible; the remaining one shall go out of office at the fourth meeting, but shall be re-eligible:

(10.) Each Commissioner elected by the registered Shipowners of Hartlepool at the second meeting, and at subsequent annual meetings, shall go out of office at the third meeting after his election, but shall be re-eligible:

(11.) Section nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by West Hartlepool Shipowners.

8. With respect to the election of Commissioners by the registered Shipowners of West Hartlepool, the provisions of the last foregoing clause shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of West Hartlepool for the registered Shipowners of Hartlepool.

Incorporation of parts of 10 & 11 Vict. c. 16.

9. The Commissioners Clauses Act, 1847, as far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order (this Order being deemed "the Special Act," and the execution of the powers of this Order being deemed "the undertaking"), and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade or elected by Pilots or by Shipowners) unless he is seised or possessed of property to the value or amount of *500l.*:

(2.) Sections twenty-three to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order:

(3.) With reference to section thirty-nine of the same Act, the prescribed number (constituting a quorum) of the Commissioners shall be five:

(4.) With

(4.) With reference to section forty of the same Act, the annual meeting of the Commissioners shall be held on or within one week after the 23rd day of August in each year:

(5.) Section fifty-four of the same Act shall not be incorporated with this Order:

(6.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed:

(7.) With reference to section ninety-two of the same Act, the Commissioners shall from time to time appoint a permanent auditor of the accounts of the Commissioners:

(8.) With reference to the provisions of the same Act with respect to the making of byelaws, licensed pilots under this Order shall be deemed officers of the Commissioners; all byelaws shall be printed, and copies shall be always obtainable by purchase; any byelaws shall not have effect unless and until they are approved by the Board of Trade.

Limits of District.

Definition of Hartlepool Pilotage District.

10. The Hartlepool Pilotage District shall, for the purposes of this Order, be deemed to extend from a point called Black Halls on the north side of the borough of Hartlepool to the southernmost end of the village of Seaton Carew on the south side of that borough.

Pilotage.

Transfer of jurisdiction to Commissioners.

11. The jurisdiction in pilotage matters within the Hartlepool Pilotage District now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

Continuance of existing licences.

12. All Pilots licensed for the Hartlepool Pilotage District by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order shall be entitled to continue to act as such Pilots under the Commissioners incorporated by this Order for one year after the passing of an Act confirming this Order, without further licence or payment in respect of that year, but in all other respects shall become and be subject to the authority of the Commissioners and the provisions of this Order, as if they had been severally licensed originally under this Order.

Examination and licensing of Pilots.

13. The Commissioners shall examine every person who applies to them for a Pilot licence, for the purpose of ascertaining his skill, knowledge, and experience in relation to the navigating, piloting, and conducting of vessels within the Hartlepool Pilotage District, and may, if they think fit, license and authorize by writing any person so examined and found qualified to act in the capacity of Pilot for navigating, piloting, and conducting vessels as aforesaid.

Licence and renewal fees.

14. Every Pilot to be licensed under this Order shall, on receiving his licence from the Commissioners, pay to them, or to their Clerk for the time being for their use, the sum of *forty shillings* for such his licence; and every Pilot licensed for the Hartlepool Pilotage District by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order, or to be licensed under this Order, shall annually pay to the Commissioners, or to their

Clerk for the time being for their use, the sum of *ten shillings* for the renewal of his licence; provided, that the Commissioners may from time to time increase or diminish the said licence and renewal fees, or either of them, subject to the approval of the Board of Trade.

Pilotage dues.

15. The following Pilotage dues shall be paid, namely,

For every British ship or other vessel piloted and conducted within the Hartlepool Pilotage District, from and including the *1st day of April* to the *1st day of October* in any year, at the rate of *one shilling and threepence* for every foot of water which such ship or vessel draws:

For every such ship or vessel so piloted and conducted, from and including the *1st day of October* in any year to the *1st day of April* in the following year, at the rate of *one shilling and sixpence* for each such foot:

which Pilotage dues shall be paid to the Commissioners or to the Pilot performing such Pilotage duty within *five days* after the performance thereof; provided, that the Commissioners may from time to time increase or diminish the said Pilotage dues, subject to the approval of the Board of Trade.

Pilotage not compulsory.

16. Nothing in this Order shall extend to oblige the Owner or Master of any ship or vessel to employ or make use of any Pilot in piloting or conducting such ship or vessel within the Hartlepool Pilotage District if he is not desirous so to do, or to pay any Pilotage dues when not employing or making use of a Pilot.

Miscellaneous.

Transfer of Pilotage money to Commissioners.

17. All money standing in the books of the Trinity House of Newcastle-upon-Tyne to the credit of the Hartlepool Pilotage District, or properly applicable thereto, at the time of the passing of an Act confirming this Order, shall be paid to the Commissioners incorporated by this Order.

Compensation in respect of differential dues for the district to be paid to the Commissioners.

18. All compensation money payable by the Commissioners of Her Majesty's Treasury under the provisions of Section 12 of 24 & 25 Vict. c. 47. to the Trinity House of Newcastle-upon-Tyne for differential dues payable in respect of the said district shall, after the passing of an Act confirming this Order, be paid to and received by the Commissioners.

Compensation to Officers no longer employed by Commissioners.

19. If the services of any persons at the time of the passing of an Act confirming this Order permanently employed by the Trinity House of Newcastle-upon-Tyne on duties connected with the pilotage within the Hartlepool district are not continued by the Commissioners, the Commissioners shall grant compensation to such persons out of the monies to come into their hands by virtue of this Order, such compensation not to be granted except under such circumstances and to such an amount as might be granted under the Act or Acts for the time being in force with respect to compensation for abolition of office in the public Civil Service.

Saving for effect of general Acts.

20. Nothing in this Order shall exempt the Commissioners or the port of Hartlepool from the provisions of any general Act of Parliament, now in force or hereafter to be passed, relating to Pilotage or Pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping, or on goods carried therein, or from any future revision and alteration, under the authority

authority of Parliament, of the Pilotage dues authorized by this Order, or of the limits of the Hartlepool Pilotage District defined by this Order.

21. This Order may be cited as The Hartlepools Pilotage Order, 1864. Short title.

Board of Trade, Whitehall.
Dated this 27th day of May 1864.

(Signed) JAMES BOOTH,
Secretary.

Pilotage Order Confirmation.

A

B I L L

For confirming a Provisional Order concerning Pilotage made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to Hartlepool.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed*, 2 *June* 1864.

[Bill 131.]

Under 2 oz.

A

BILL

FOR

Confirming a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage of the River Tyne.

WHEREAS a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament: And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act, and set out in the Schedule hereto, should be confirmed by Act of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Provisional Order set out in the Schedule hereto shall be and is hereby confirmed, and all the Provisions thereof, in manner and form as they are set out in the said Schedule, shall from and after Confirmation of Order.

after the *passing of this Act* take effect and have full Validity and Force.

Short Title.

2. This Act may be cited as The (Tyne) Pilotage Order Confirmation Act, 1864.

SCHE-

SCHEDULE.

THE TYNE.

Provisional Order of the Board of Trade for constituting Pilotage Commissioners for the River Tyne, and for regulating their Jurisdiction.

Whereas, under The Merchant Shipping Act Amendment Act, 1862, certain persons interested in the pilotage of the Tyne, made application in writing to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Act, to transfer the jurisdiction in pilotage matters within the river Tyne, and into and out of the same, then and now exercised by the Trinity House of Newcastle-upon Tyne, and the monies belonging thereto, to a local pilotage authority to be constituted by such Order, so as to represent the interests of the various Ports concerned: Preamble.

AND WHEREAS notice of the application aforesaid was published according to the requirements of the said Act:

AND WHEREAS the Board of Trade at the time in the said Act appointed in this behalf referred the said application to the pilotage authority of the district, namely, the Trinity House of Newcastle-upon-Tyne, and more than six weeks have elapsed since such reference before the making of the present Provisional Order:

AND WHEREAS the Board of Trade, after making such inquiries as they thought expedient, and after considering all objections, determined to proceed with the proposed Provisional Order, and accordingly have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not have any effect):

NOW, THEREFORE, the Board of Trade do by this their Provisional Order, in pursuance of The Merchant Shipping Act Amendment Act, 1862, and by virtue and in exercise of the powers thereby in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

The Tyne Pilotage Commissioners.

2. There shall be a body of Commissioners for carrying this Order into execution, the full number of whom shall be seventeen, which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Tyne Pilotage Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of land and other property Incorporation of Commissioners.

property for the purposes, but subject to the restrictions, of this Order. The term "the Commissioners" herein-after used means the Tyne Pilotage Commissioners.

Appointment and election of Commissioners.

3. The appointment and election of the several Commissioners shall be regulated as follows:—

(1.) The Board of Trade shall, as soon as may be after the passing of an Act confirming this Order, appoint three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those three Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(2) The Tyne Improvement Commissioners shall, as soon as may be after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of those Commissioners shall appoint another person to fill the vacancy, and so toties quoties:

(3.) The Pilots licensed for any part of the River Tyne or the entrance thereof shall from time to time elect three persons to be Commissioners:

(4.) The registered Shipowners of Newcastle-upon-Tyne shall from time to time elect three persons to be Commissioners:

(5.) The registered Shipowners of North Shields shall from time to time elect three persons to be Commissioners.

(6). The registered Shipowners of South Shields shall from time to time elect three persons to be Commissioners.

Tenure of office of appointed Commissioners.

4. Each appointment of a Commissioner (other than Commissioners elected by Pilots and by Shipowners) shall be determinable at any time by the authority which appointed that Commissioner, and (subject thereto and to the other provisions of this Order, and of any Act incorporated therewith) each such appointment shall be operative for *five years* and no longer, but at the end of the term of *five years* an outgoing Commissioner shall be capable of re-appointment.

Election of Commissioners by Tyne Pilots

5. With respect to the election of Commissioners by the Tyne Pilots the following provisions shall take effect:—

(1.) The first meeting of Tyne Pilots for the election of a Commissioner shall be held at the Town Hall of the Borough of South Shields, within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Mr. William Elliott Duncan, solicitor, or in his default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in Newcastle-upon-Tyne, and in North and South Shields.

(2.) Annual meetings of Tyne Pilots for the election of Commissioners shall be held at the Town Hall of the Borough of South Shields aforesaid, or at such other place within the said Borough as the Commissioners from time to time appoint, on such day within ten days next before the first day of October in each year as the Commissioners annually appoint, the

the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in Newcastle-upon-Tyne and in North and South Shields:

(3.) Such only of the said pilots as are licensed at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting and to take part and vote in the election of Commissioners thereat:

(4.) Such only of the said pilots as are licensed on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings and to take part and vote in the election of Commissioners thereat respectively:

(5.) At each annual meeting the Chairman of the Commissioners, or in his unavoidable absence one of the Commissioners appointed by the Board of Trade, shall attend and act as chairman of the meeting:

(6.) The election of Commissioners at the first and each annual meeting shall be made by the majority of licensed pilots present at the meeting:

(7.) Each Commissioner elected at the first or at any annual meeting shall go out of office at the next annual meeting, but shall be re-eligible:

(8.) Section nineteen of The Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by Newcastle-upon-Tyne Shipowners.

6. With respect to the election of Commissioners by the registered Shipowners of Newcastle-upon-Tyne, the following provisions shall take effect:

(1.) The first meeting of the registered Shipowners of Newcastle-upon Tyne for the election of Commissioners shall be held at the Town Hall of the borough of Newcastle-upon-Tyne within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by the said W. E. Duncan, solicitor, or in his default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in the borough of Newcastle-upon-Tyne:

(2.) Annual meetings of the registered Shipowners of Newcastle-upon-Tyne for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Newcastle-upon-Tyne as the Commissioners from time to time appoint, on such day within ten days next before the first day of October in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in the borough of Newcastle-upon-Tyne:

(3.) Such only of the registered Shipowners of Newcastle-upon-Tyne as are registered at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting and to take part and vote in the election of Commissioners thereat:

(4.) Such only of the registered Shipowners of Newcastle-upon-Tyne as are registered on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings and to take part and vote in the election of Commissioners thereat respectively:

(5.) At the first and every such annual meeting a list of the names of the registered Shipowners of Newcastle-upon-Tyne, up to and inclusive of the then last 31st day of December, certified under the hand of the Collector or other principal Officer of Customs of the port, shall be sufficient evidence of the persons named therein being registered Shipowners of Newcastle-upon-Tyne, and as such entitled to attend the meeting and take part and vote in the election thereat. The said Collector or principal Officer shall supply a copy of such list to every person requiring the same on payment of the sum of 6*d.* for every 100 words of such copy, and copies of such list shall be fixed by the Clerk of the Commissioners on the outer doors of the Town Hall of the borough of Newcastle-upon-Tyne two days at least before the day appointed for the first and each such annual meeting:

(6.) At the first and each such annual election each registered Shipowner of Newcastle-upon-Tyne shall be entitled to one vote and no more for each of the persons then proposed to be elected as Commissioners:

(7.) The election of Commissioners at the first and each such annual meeting shall be made by the majority of registered Shipowners of Newcastle present at the meeting:

(8.) Every person elected as a Commissioner by the registered Shipowners of Newcastle-upon-Tyne shall be required to have the following qualification; namely, to possess, in his own right, shipping registered in his own name at the Custom House of the port of Newcastle-upon-Tyne on the 31st day of December next before the day of election, such shipping being of the then market value, above all encumbrances thereon, of not less than 150 tons of shipping at the port of Newcastle-upon-Tyne:

(9.) Such one of the Commissioners elected by the registered Shipowners of Newcastle-upon-Tyne at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be re-eligible; such one of them as is named second on the list shall go out of office at the third meeting, but shall be re-eligible; the remaining one shall go out of office at the fourth meeting, but shall be re-eligible:

(10.) Each Commissioner elected by the registered Shipowners of Newcastle-upon-Tyne at the second meeting, and at subsequent annual meetings, shall go out of office at the third meeting after his election, but shall be re-eligible:

(11.) Section nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by North Shields Shipowners.

7. With respect to the election of Commissioners by the registered Shipowners of North Shields, the provisions of the last foregoing clause shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of North Shields for the registered Shipowners of Newcastle-upon-Tyne, and the substitution of the Borough of Tynemouth for the Borough of Newcastle-upon-Tyne.

Election of Commissioners by South

8. With respect to the election of Commissioners by the registered Shipowners of South Shields, the provisions of the foregoing clause 6, shall apply in

in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of South Shields for the registered Shipowners of Newcastle-upon-Tyne, and the substitution of the borough of South Shields for the borough of Newcastle-upon-Tyne. Shields Shipowners.

9. The Commissioners Clauses Act, 1847, as far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order (this Order being deemed "the Special Act," and the execution of the powers of this Order being deemed "the undertaking"), and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions: Incorporation of parts of 10 & 11 Vict. c. 16.

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade or elected by Pilots or by Shipowners) unless he is seised or possessed of property to the value or amount of 500*l.*:

(2.) Sections twenty-three to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order:

(3.) With reference to section thirty-nine of the same Act, the prescribed number (constituting a quorum) of the Commissioners shall be seven:

(4.) With reference to section forty of the same Act, the annual meeting of the Commissioners shall be held on or within one week after the 1st day of October in each year:

(5.) Section fifty-four of the same Act shall not be incorporated with this Order:

(6.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed:

(7.) With reference to section ninety-two of the same Act, the Commissioners shall from time to time appoint a permanent auditor of the accounts of the Commissioners:

(8.) With reference to the provisions of the same Act with respect to the making of byelaws, licensed pilots under this Order shall be deemed officers of the Commissioners; all byelaws shall be printed, and copies shall be always obtainable by purchase; any byelaws shall not have effect unless and until they are approved by the Board of Trade.

Limits of District.

10. The pilotage district of the Tyne shall, for the purposes of this Order, be deemed to include the whole of the river Tyne and to extend seaward over a radius of seven miles. Definition of Tyne Pilotage district.

Pilotage.

11. The jurisdiction in pilotage matters within the district aforesaid now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order. Transfer of jurisdiction to Commissioners.

12. All Pilots licensed for the Tyne or its entrance by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Continuance of existing licences.

Order shall be entitled to continue to act as such Pilots under the Commissioners incorporated by this Order for one year after the passing of an Act confirming this Order, without further licence or payment in respect of that year, but in all other respects shall become and be subject to the authority of the Commissioners and the provisions of this Order, as if they had been severally licensed originally under this Order.

Examination and licensing of Pilots.

13. The Commissioners shall examine every person who applies to them for a Pilot licence, for the purpose of ascertaining his skill, knowledge, and experience in relation to the navigating, piloting, and conducting of vessels into, out of the, and within the said district, or any part or parts thereof, and may, if they think fit, license and authorize by writing any person examined and found qualified to act in the capacity of Pilot for navigating, piloting, and conducting vessels as aforesaid, provided he has served five years in the pilot service.

Licence and renewal fees.

14. Every Pilot to be licensed under this Order shall, on receiving his licence from the Commissioners, pay to them, or to their Clerk for the time being for their use, the sum of forty shillings for such his licence; and every Pilot licensed for the district aforesaid, or any part thereof, by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order, or to be licensed under this Order, shall annually pay to the Commissioners, or to their Clerk for the time being for their use, the sum of ten shillings for the renewal of his licence; provided, that the Commissioners may from time to time increase or diminish the said licence and renewal fees, or either of them, subject to the approval of the Board of Trade.

Pilotage dues.

15. The following Pilotage rates shall be paid, namely,—

From and including the 1st day of April to the 1st day of October in each year, one shilling and threepence for every foot of water which any ship or vessel shall draw, and from and including the 1st day of October to the 1st day of April in each year, one shilling and sixpence for every such foot of water;

And such pilotage dues shall be paid to the Commissioners or to the Pilot performing such Pilotage duty within five days after the performance thereof; provided, that the Commissioners may from time to time increase or diminish the said Pilotage dues, subject to the approval of the Board of Trade.

Pilotage not compulsory.

16. Nothing in this Order shall extend to oblige the Owner or Master of any vessel to employ or make use of any Pilot in piloting or conducting such vessel into or out of the said district or within any part thereof, if he is not desirous so to do, or to pay any Pilotage dues when not employing or making use of a Pilot.

Miscellaneous.

Transfer of pi otage money to Commissioners.

17. All money standing in the Books of the Trinity House of Newcastle-upon-Tyne to the credit of or properly applicable to the Tyne Pilotage District hereby transferred to the Commissioners, and also all money held by the said Trinity House for or on behalf of the Sea Pilots or the River Pilots of the

said District, at the time of the passing of an Act confirming this Order, shall be paid to the Commissioners incorporated by this Order.

Compensation in respect of differential dues for the District to be paid to the Commissioners

18. All compensation money payable by the Commissioners of Her Majesty's Treasury, under the provisions of section 12 of the 24 & 25 Vict. c. 47, to the said Trinity House of Newcastle-upon-Tyne for differential dues payable in respect of the said district, shall, after the passing of an Act confirming this Order, be paid to and received by the Commissioners.

Compensation to Officers no longer employed by Commissioners.

19. If the services of any persons at the time of the passing of an Act confirming this Order permanently employed by the Trinity House of Newcastle-upon-Tyne on duties connected with the pilotage within the Tyne Pilotage district are not continued by the Commissioners, the Commissioners shall grant compensation to such persons out of the monies to come into their hands by virtue of this Order, such compensation not to be granted except under such circumstances and to such an amount as might be granted under the Act or Acts for the time being in force with respect to compensation for abolition of office in the public Civil Service.

Saving for effect of general Acts.

20. Nothing in this Order shall exempt the Commissioners or the Pilotage district aforesaid from the provisions of any general Act of Parliament, now in force or hereafter to be passed, relating to Pilotage or Pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping, or on goods carried therein, or from any future revision and alteration, under the authority of Parliament, of the Pilotage dues authorized by this Order, or of the limits of the district defined by this Order.

Short Title.

21. This Order may be cited as The Tyne Pilotage Order, 1864.

Board of Trade, Whitehall.

Dated this 24thday of June 1864.

JAMES BOOTH,
Secretary.

Pilotage Order Confirmation (No. 2).

A

BILL

For confirming a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage of the River Tyne.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed,* 30 *June* 1864.

[Bill 184.]

Under 2 oz.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Confirming a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage of the River Tyne.

WHEREAS a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament: And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act, and set out in the Schedule hereto, should be confirmed by Act of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Provisional Order set out in the Schedule hereto shall be and is hereby confirmed, and all the Provisions thereof, in manner and form as they are set out in the said Schedule, shall from and after Confirmation of Order.

after the *passing of this Act* take effect and have full Validity and Force.

Short Title.

2. This Act may be cited as The (Tyne) Pilotage Order Confirmation Act, 1864.

SCHE-

SCHEDULE.

THE TYNE.

Provisional Order of the Board of Trade for constituting Pilotage Commissioners for the River Tyne, and for regulating their Jurisdiction.

Whereas, under The Merchant Shipping Act Amendment Act, 1862, certain persons interested in the pilotage of the Tyne, made application in writing to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Act, to transfer the jurisdiction in pilotage matters within the river Tyne, and into and out of the same, then and now exercised by the Trinity House of Newcastle-upon Tyne, and the monies belonging thereto, to a local pilotage authority to be constituted by such Order, so as to represent the interests of the various Ports concerned: Preamble.

AND WHEREAS notice of the application aforesaid was published according to the requirements of the said Act:

AND WHEREAS the Board of Trade at the time in the said Act appointed in this behalf referred the said application to the pilotage authority of the district, namely, the Trinity House of Newcastle-upon-Tyne, and more than six weeks have elapsed since such reference before the making of the present Provisional Order:

AND WHEREAS the Board of Trade, after making such inquiries as they thought expedient, and after considering all objections, determined to proceed with the proposed Provisional Order, and accordingly have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not have any effect):

NOW, THEREFORE, the Board of Trade do by this their Provisional Order, in pursuance of The Merchant Shipping Act Amendment Act, 1862, and by virtue and in exercise of the powers thereby in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

The Tyne Pilotage Commissioners.

2. There shall be a body of Commissioners for carrying this Order into execution, the full number of whom shall be seventeen, which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Tyne Pilotage Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of land and other property Incorporation of Commissioners.

property for the purposes, but subject to the restrictions, of this Order. The term "the Commissioners" herein-after used means the Tyne Pilotage Commissioners.

Appointment and election of Commissioners.

3. The appointment and election of the several Commissioners shall be regulated as follows:—

(1.) The Board of Trade shall, as soon as may be after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those two Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(2.) The Tyne Improvement Commissioners shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of this Commissioner shall appoint another person to fill the vacancy:

(3.) The Pilots licensed for any part of the River Tyne or the entrance thereof shall from time to time elect two persons to be Commissioners:

(4.) The registered Shipowners of Newcastle-upon-Tyne shall from time to time elect three persons to be Commissioners:

(5.) The registered Shipowners of North Shields shall from time to time elect three persons to be Commissioners.

(6). The registered Shipowners of South Shields shall from time to time elect three persons to be Commissioners.

(7.) The Master Pilots and Seamen of the Trinity House of Newcastle-upon-Tyne shall, as soon as may be after the passing of an Act confirming this Order, appoint three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those three Commissioners, shall appoint another person to fill the vacancy, and so toties quoties.

Tenure of office of appointed Commissioners.

4. Each appointment of a Commissioner (other than Commissioners elected by Pilots and by Shipowners) shall be determinable at any time by the authority which appointed that Commissioner, and (subject thereto and to the other provisions of this Order, and of any Act incorporated therewith) each such appointment shall be operative for *five years* and no longer, but at the end of the term of *five years* an outgoing Commissioner shall be capable of re-appointment.

Election of Commissioners by Tyne Pilots.

5. With respect to the election of Commissioners by the Tyne Pilots the following provisions shall take effect:—

(1.) The first meeting of Tyne Pilots for the election of a Commissioner shall be held at the Town Hall of the Borough of South Shields, within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Mr. William Elliott Duncan, solicitor, or in his default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in Newcastle-upon-Tyne, and in North and South Shields.

(2.) Annual

(2.) Annual meetings of Tyne Pilots for the election of Commissioners shall be held at the Town Hall of the Borough of South Shields aforesaid, or at such other place within the said Borough as the Commissioners from time to time appoint, on such day within ten days next before the first day of October in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in Newcastle-upon-Tyne and in North and South Shields:

(3.) Such only of the said pilots as are licensed at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting and to take part and vote in the election of Commissioners thereat:

(4.) Such only of the said pilots as are licensed on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings and to take part and vote in the election of Commissioners thereat respectively:

(5.) At each annual meeting the Chairman of the Commissioners, or in his unavoidable absence one of the Commissioners appointed by the Board of Trade, shall attend and act as chairman of the meeting:

(6.) The election of Commissioners at the first and each annual meeting shall be made by the majority of licensed pilots present at the meeting:

(7.) Each Commissioner elected at the first or at any annual meeting shall go out of office at the next annual meeting, but shall be re-eligible:

(8.) Section nineteen of The Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by Newcastle-upon-Tyne Shipowners.

6. With respect to the election of Commissioners by the registered Shipowners of Newcastle-upon-Tyne, the following provisions shall take effect:

(1.) The first meeting of the registered Shipowners of Newcastle-upon Tyne for the election of Commissioners shall be held at the Town Hall of the borough of Newcastle-upon-Tyne within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by the said W. E. Duncan, solicitor, or in his default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in the borough of Newcastle-upon-Tyne:

(2.) Annual meetings of the registered Shipowners of Newcastle-upon-Tyne for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Newcastle-upon-Tyne as the Commissioners from time to time appoint, on such day within ten days next before the first day of October in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in the borough of Newcastle-upon-Tyne:

(3.) Such only of the registered Shipowners of Newcastle-upon-Tyne as are registered at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting and to take part and vote in the election of Commissioners thereat:

(4.) Such only of the registered Shipowners of Newcastle-upon-Tyne as are registered on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings and to take part and vote in the election of Commissioners thereat respectively :

(5.) At the first and every such annual meeting a list of the names of the registered Shipowners of Newcastle-upon-Tyne, up to and inclusive of the then last 31st day of December, certified under the hand of the Collector or other principal Officer of Customs of the port, shall be sufficient evidence of the persons named therein being registered Shipowners of Newcastle-upon-Tyne, and as such entitled to attend the meeting and take part and vote in the election thereat. The said Collector or principal Officer shall supply a copy of such list to every person requiring the same on payment of the sum of 6*d.* for every 100 words of such copy, and copies of such list shall be fixed by the Clerk of the Commissioners on the outer doors of the Town Hall of the borough of Newcastle-upon-Tyne two days at least before the day appointed for the first and each such annual meeting :

(6.) At the first and each such annual election each registered Shipowner of Newcastle-upon-Tyne shall be entitled to one vote and no more for each of the persons then proposed to be elected as Commissioners :

(7.) The election of Commissioners at the first and each such annual meeting shall be made by the majority of registered Shipowners of Newcastle present at the meeting :

(8.) Every person elected as a Commissioner by the registered Shipowners of Newcastle-upon-Tyne shall be required to have the following qualification ; namely, to possess, in his own right, shipping registered in his own name at the Custom House of the port of Newcastle-upon-Tyne on the 31st day of December next before the day of election, such shipping being of the then market value, above all encumbrances thereon, of not less than 200 tons of shipping at the port of Newcastle-upon-Tyne :

(9.) Such one of the Commissioners elected by the registered Shipowners of Newcastle-upon-Tyne at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be re-eligible ; such one of them as is named second on the list shall go out of office at the third meeting, but shall be re-eligible ; the remaining one shall go out of office at the fourth meeting, but shall be re-eligible :

(10.) Each Commissioner elected by the registered Shipowners of Newcastle-upon-Tyne at the second meeting, and at subsequent annual meetings, shall go out of office at the third meeting after his election, but shall be re-eligible :

(11.) Section nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by North Shields Shipowners.

7. With respect to the election of Commissioners by the registered Shipowners of North Shields, the provisions of the last foregoing clause shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of North Shields for the registered Shipowners

owners of Newcastle-upon-Tyne, and the substitution of the Borough of Tynemouth for the Borough of Newcastle-upon-Tyne.

Election of Commissioners by South Shields Shipowners.

8. With respect to the election of Commissioners by the registered Shipowners of South Shields, the provisions of the foregoing clause 6, shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of South Shields for the registered Shipowners of Newcastle-upon-Tyne, and the substitution of the borough of South Shields for the borough of Newcastle-upon-Tyne.

Incorporation of parts of 10 & 11 Vict. c. 16.

9. The Commissioners Clauses Act, 1847, as far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order (this Order being deemed "the Special Act," and the execution of the powers of this Order being deemed "the undertaking"), and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade or elected by Pilots or by Shipowners) unless he is seised or possessed of property to the value or amount of 500*l.*:

(2.) Sections twenty-three to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order:

(3.) With reference to section thirty-nine of the same Act, the prescribed number (constituting a quorum) of the Commissioners shall be seven:

(4.) With reference to section forty of the same Act, the annual meeting of the Commissioners shall be held on or within one week after the 1st day of October in each year:

(5.) Section fifty-four of the same Act shall not be incorporated with this Order:

(6.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed:

(7.) With reference to section ninety-two of the same Act, the Commissioners shall from time to time appoint a permanent auditor of the accounts of the Commissioners:

(8.) With reference to the provisions of the same Act with respect to the making of byelaws, licensed pilots under this Order shall be deemed officers of the Commissioners; all byelaws shall be printed, and copies shall be always obtainable by purchase; any byelaws shall not have effect unless and until they are approved by the Board of Trade.

Limits of District.

Definition of Tyne Pilotage district.

10. The pilotage district of the Tyne shall, for the purposes of this Order, be deemed to include the whole of the river Tyne and to extend seaward over a radius of seven miles.

Pilotage.

Transfer of jurisdiction to Commissioners.

11. The jurisdiction in pilotage matters within the district aforesaid now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

Continuance of existing licences.

12. All Pilots licensed for the Tyne or its entrance by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order shall be entitled to continue to act as such Pilots under the Commissioners incorporated by this Order for one year after the passing of an Act confirming this Order, without further licence or payment in respect of that year, but in all other respects shall become and be subject to the authority of the Commissioners and the provisions of this Order, as if they had been severally licensed originally under this Order.

Examination and licensing of Pilots.

13. The Commissioners shall examine every person who applies to them for a Pilot licence, for the purpose of ascertaining his skill, knowledge, and experience in relation to the navigating, piloting, and conducting of vessels into, out of the, and within the said district, or any part or parts thereof, and may, if they think fit, license and authorize by writing any person examined and found qualified to act in the capacity of Pilot for navigating, piloting, and conducting vessels as aforesaid, provided he has served five years in the pilot service.

Licence and renewal fees.

14. Every Pilot to be licensed under this Order shall, on receiving his licence from the Commissioners, pay to them, or to their Clerk for the time being for their use, the sum of forty shillings for such his licence; and every Pilot licensed for the district aforesaid, or any part thereof, by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order, or to be licensed under this Order, shall annually pay to the Commissioners, or to their Clerk for the time being for their use, the sum of ten shillings for the renewal of his licence; provided, that the Commissioners may from time to time increase or diminish the said licence and renewal fees, or either of them, subject to the approval of the Board of Trade.

Pilotage dues.

15. The following Pilotage rates shall be paid, namely,—

From and including the 1st day of April to the 1st day of October in each year, one shilling and threepence for every foot of water which any ship or vessel shall draw, and from and including the 1st day of October to the 1st day of April in each year, one shilling and sixpence for every such foot of water;

And such pilotage dues shall be paid to the Commissioners or to the Pilot performing such Pilotage duty within five days after the performance thereof; provided, that the Commissioners may from time to time increase or diminish the said Pilotage dues, subject to the approval of the Board of Trade.

Pilotage not compulsory.

16. Nothing in this Order shall extend to oblige the Owner or Master of any vessel to employ or make use of any Pilot in piloting or conducting such vessel into or out of the said district or within any part thereof, if he is not desirous so to do, or to pay any Pilotage dues when not employing or making use of a Pilot.

Miscellaneous.

Transfer of pilotage money to Commissioners.

17. All money standing in the Books of the Trinity House of Newcastle-upon-Tyne to the credit of or properly applicable to the Tyne Pilotage District hereby transferred to the Commissioners, and also all money held by the said Trinity

Trinity House for or on behalf of the Sea Pilots or the River Pilots of the said District, at the time of the passing of an Act confirming this Order, shall be paid to the Commissioners incorporated by this Order.

Expenses of Order.

18. All the costs, charges, and expenses of and incident to the preparation and making of this Order shall be paid by the Commissioners out of the first monies coming to their hands under the provisions of the said Order.

Compensation in respect of differential dues for the District to be paid to the Commissioners.

19. All compensation money payable by the Commissioners of Her Majesty's Treasury, under the provisions of section 12 of the 24 & 25 Vict. c. 47, to the said Trinity House of Newcastle-upon-Tyne for differential dues payable in respect of the said district, shall, after the passing of an Act confirming this Order, be paid to and received by the Commissioners.

Compensation to Officers no longer employed by Commissioners.

20. If the services of any persons at the time of the passing of an Act confirming this Order permanently employed by the Trinity House of Newcastle-upon-Tyne on duties connected with the pilotage within the Tyne Pilotage district are not continued by the Commissioners, the Commissioners shall grant compensation to such persons out of the monies to come into their hands by virtue of this Order, such compensation not to be granted except under such circumstances and to such an amount as might be granted under the Act or Acts for the time being in force with respect to compensation for abolition of office in the public Civil Service.

Appointment by Board of Trade of place where meetings to be held.

21. The Board of Trade shall appoint the place at which the Commissioners shall hold their meeting for the transaction of business: Provided that the Board of Trade shall have power from time to time to change such place of meeting, if upon application to them they shall be of opinion that such change would be desirable.

Saving for effect of general Acts.

22. Nothing in this Order shall exempt the Commissioners or the Pilotage district aforesaid from the provisions of any general Act of Parliament, now in force or hereafter to be passed, relating to Pilotage or Pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping, or on goods carried therein, or from any future revision and alteration, under the authority of Parliament, of the Pilotage dues authorized by this Order, or of the limits of the district defined by this Order.

Short Title.

23. This Order may be cited as The Tyne Pilotage Order, 1864.

Board of Trade, Whitehall.

Dated this 24th day of June 1864.

JAMES BOOTH,
Secretary.

Pilotage Order Confirmation (No. 2).

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BILL

[AS AMENDED BY THE SELECT COMMITTEE]

For confirming a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage of the River Tyne.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed,* 19 *July* 1864.

[Bill 226.]

Under 2 oz.

539

A

BILL

TO

Prohibit the placing of poisoned Flesh and poisonous Matters in Plantations, Fields, and open Places, and to extend "The Poisoned Grain Prohibition Act, 1863."

WHEREAS it is expedient to prohibit the placing of poisoned Flesh and other poisonous Matters in Plantations, Fields, and open Places, and to extend the Provisions of an Act passed in the Session of Parliament held in the Twenty-sixth and Twenty-seventh Years of the Reign of Her present Majesty, intituled "An Act to prohibit the Sale and Use of "Poisoned Grain or Seed:" Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Poisoned Flesh Prohibition Act, 1864." Short Title of Act.

2. Every Person who shall knowingly and wilfully set, lay, throw, put, or place, or cause to be set, laid, thrown, put, or placed, in Penalty for placing poisoned Flesh in Fields, &c.

in or upon any Field, Plantation, Wood, Covert, Land, or Ground whatsoever, whether open or inclosed, or in or upon any Highway, or in or upon the Hedges, Fences, Ditches, or Banks of such Field, Plantation, Wood, Covert, Land, or Ground, or Highway, and every Owner or Occupier of any such Field, Plantation, Wood, Covert, Land, or Ground who shall knowingly permit or suffer to be set, laid, thrown, put, or placed, or to remain exposed therein or thereupon, any Flesh, Meat, Matter, or Thing whatsoever, containing or mixed or dressed with or steeped in or impregnated with or having thereupon any Poison or poisonous Ingredient or Preparation, or any Poison or poisonous Ingredient or Preparation calculated to destroy the Life of or injure any Animal whatsoever, shall, upon a summary Conviction thereof, forfeit any Sum not exceeding *Ten Pounds*, to be recovered in the Manner provided by The Poisoned Grain Prohibition Act, 1863.

Not to apply to Occupier placing poisoned Preparations for Destruction of Rats or Mice.

3. Nothing in this Act shall be deemed to make it unlawful for the Occupier of any Dwelling House or other Building, or the Owner of any Rick or Stack of Wheat, Barley, Oats, Beans, Peas, Tares, Seeds, or of any cultivated Vegetable Produce, to put or place or cause to be put or placed, or to remain, in any such Dwelling House or other Building, or within such Rick or Stack, any Poison or poisonous Ingredient or Preparation, with the sole Intent of destroying Rats or Mice therein.

Construction of Act.

4. This Act shall not affect any of the Provisions of The Poisoned Grain Prohibition Act, 1863, and the Provisions of the said Poisoned Grain Prohibition Act, 1863, shall extend and apply to this Act and to all Proceedings in relation thereto.

Poisoned Flesh Prohibition, &c.

A

BILL

To prohibit the placing of poisoned Flesh and poisonous Matters in Plantations, Fields, and open Places, and to extend "The Poisoned Grain Prohibition Act, 1863."

(*Prepared and brought in by Mr. Berkeley, Mr. Wickham Martin, and Lord Fermoy.*)

Ordered, by The House of Commons, *to be Printed, 5 July* 1864.

[Bill 192.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Extend "The Poisoned Grain Prohibition Act, 1863."

WHEREAS it is expedient to extend the Provisions of an Act passed in the Session of Parliament held in the Twenty-sixth and Twenty-seventh Years of the Reign of Her present Majesty, intituled "An Act to prohibit the Sale and "Use of Poisoned Grain or Seed:" Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Poisoned Flesh Prohibition Act, 1864." Short Title of Act.

2. Every Person who shall knowingly and wilfully set, lay, put, or place, or cause to be set, laid, put, or placed, in or upon any Land any Poison, or any Flesh, Meat, Matter, or Thing whatsoever which has been mixed with or steeped in or impregnated with Poison or any poisonous Ingredient so as to render such Flesh, Meat, Matter, or Thing poisonous and calculated to destroy Life, shall, upon a summary Conviction thereof, forfeit any Sum not exceeding Penalty for placing poisoned Flesh in Fields, &c.

exceeding *Ten Pounds*, to be recovered in the Manner provided by The Poisoned Grain Prohibition Act, 1863.

Not to apply to Occupier placing poisoned Preparations for Destruction of Vermin.

3. Nothing in this Act shall make it unlawful for the Occupier of any Dwelling House or other Building, or the Owner of any Rick or Stack of Wheat, Barley, Oats, Beans, Peas, Tares, Seeds, or of any cultivated Vegetable Produce, to put or place or cause to be put or placed in any such Dwelling House or other Building, or within such Rick or Stack, any Poison or poisonous Ingredient or Preparation for the Destruction of Vermin.

Construction of Act.

4. This Act shall not apply to any Grain, Seed, or Meal within the Provisions of The Poisoned Grain Prohibition Act, 1863, and the Provisions of the Fifth Section of the said Poisoned Grain Prohibition Act, 1863, shall apply to any Proceedings instituted under this Act.

Poisoned Grain Prohibition, &c.

A

BILL

[AS AMENDED IN COMMITTEE]

To extend "The Poisoned Grain Prohibition Act, 1863."

(Prepared and brought in by Mr. Berkeley, Mr. Wickham Martin, and Lord Fermoy.)

Ordered, by The House of Commons, *to be Printed,* 11 *July* 1864.

[Bill 199.]

Under 1 *oz.*

5:7

A

B I L L

TO

Empower the Occupiers of small Tenements in certain Cases to vote in the Election of Guardians of the Poor.

WHEREAS it is expedient that the Occupiers of Tenements the Owners of which are rated and assessed to the Relief of the Poor in respect of such Tenements instead of the Occupiers thereof, under the Provisions of the Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-nine, and of the Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Thirty-nine, should be empowered to vote in the Election of Guardians of the Poor: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

13 & 14 Vict. c. 99.

14 & 15 Vict. c. 39.

1. Where the Owner of any such Tenement shall be rated to the Relief of the Poor by virtue of the said Acts instead of the Occupier thereof, and such Owner shall have paid all Money due on account of any Rate or Rates in respect of such Tenement, such Occupier shall be entitled to vote in the Election of Guardians of the Poor, in the same Manner as he would have been entitled if he himself had

Where Owner is rated, Occupier to be entitled to vote in the Election of Guardians of the Poor as

if he were rated instead of the Owner.

had been rated, and had paid such Rate or Rates; and if such Owner so rated as aforesaid shall not have paid such Rate or Rates, it shall be lawful for such Occupier to tender to the Overseers of the Poor, or other Person authorized by Law to receive the same, the Amount of any Rate or Rates then due from such Owner in respect of such Tenement, and such Overseer or other Person so authorized as aforesaid shall be bound to receive the same; and such Occupier shall on the Payment or Tender of such Amount be entitled to exercise all such Privileges as herein-before mentioned: Provided always, that any Occupier so paying any Rate or Rates in respect of any Tenement where the Owner is rated to the same shall be entitled to deduct and retain the Amount so paid by him from the next Payment of Rent to be made by him to such Owner, or to recover the same from such Owner as Money paid to and for the Use of such Owner.

Recited Acts and this Act to be construed as One.

2. The aforesaid Acts and this Act shall be construed as One Act.

Poor Law Guardians Elections.

A

B I L L

To empower the Occupiers of small Tenements in certain Cases to vote in the Election of Guardians of the Poor.

(*Prepared and brought in by Mr. Barnes, Mr. Bazley, and Mr. Hadfield.*)

Ordered, by The House of Commons, *to be Printed*, 15 *June* 1864.

[Bill 153.]

Under 1 *oz.*

A

BILL

TO

Amend the Irish Poor Law Acts.

WHEREAS it is expedient to give to the Poor Law Commissioners in Ireland permissive Powers similar to those possessed by the Poor Law Board in England in respect to affording Out-door Relief to the able-bodied Poor: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for the Commissioners for administering the Laws for Relief of the Poor in Ireland, by such Rules, Orders, or Regulations as they may think fit, to declare to what Extent and for what Period the Relief to be given to able-bodied Persons, or to their Families, in any particular Union, may be administered out of the Workhouse of such Union, by Payment in Money, or with Food or Clothing in Kind, or partly in Kind and partly in Money, and in what Proportions, to what Persons or Class of Persons, at what Times and Places, on what Conditions, and in what Manner such Out-door Relief may be afforded: Provided always, that in case the Guardians of the Poor of any Union to which such Orders or Regulations Power to Poor Law Commissioners in Ireland to make Orders regulating Out-door Relief to be given to the able-bodied.

Regulations shall be addressed shall, upon consideration of the special Circumstances of such Union, be of opinion that the Application and enforcing of such Orders or Regulations, or any Part thereof, at the Time or in the Manner prescribed by the said Commissioners, would be inexpedient, it shall be lawful for such Guardians to delay the Operation of such Orders or Regulations for any Period not exceeding the Space of *Thirty Days* from the Day of the Receipt of such Orders or Regulations; and such Guardians shall, *Twenty Days* at least before the Expiration of such *Thirty Days*, make a Statement and Report of such special Circumstances to the said Commissioners; and all Relief which shall be given by such Guardians before an Answer to such Report shall have been returned by the said Commissioners, if otherwise lawful, shall not be deemed unlawful, although the same shall have been given contrary to such Orders or Regulations or any of them; but in case the said Commissioners think that for the future such Orders or Regulations ought to come into operation, notwithstanding the special Circumstances alleged by such Guardians, it shall be lawful for the said Commissioners, by a peremptory Order, to direct that, from and after a Day to be fixed thereby, such Orders and Regulations, or such Parts or Modifications thereof as they may think expedient and proper, shall be enforced and observed by such Guardians; and provided that a quarterly Report of all such Cases as shall occur in any Quarter shall at the End of every such Quarter be laid by the said Commissioners before the Chief Secretary to the Lord Lieutenant of Ireland.

Poor Law (Ireland) Acts Amendment.

A

B I L L

To amend the Irish Poor Law Acts.

(*Prepared and brought in by Mr. Hennessy and Mr. Pollard-Urquhart.*)

Ordered, by The House of Commons, *to be Printed,* 15 *March* 1864.

[Bill 51.]

Under 1 *oz.*

A

B I L L

TO

Make Provision for distributing the Charge of Relief of certain Classes of poor Persons over the whole of the Metropolis.

WHEREAS it is expedient that Provision should be made for distributing the Charge of the Relief of certain poor Persons in the Metropolis in a more equitable Manner than is now lawful: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,— Preamble.

1. That after the Twenty-ninth Day of September next the Guardians of every Union or Parish situated *wholly or partly* within the District to which the Metropolis Local Management Act applies may, subject to the Orders and Regulations of the Poor Law Board, make out a separate Account of the Money expended by them daily in the Relief of destitute Wayfarers, Wanderers, or Foundlings during the Hours from *Eight o' Clock* at Night until *Eight o' Clock* in the Morning, and submit the same to the Auditor appointed to audit their Accounts at the usual Times of Audit, who shall duly examine the same, and shall certify the Amount which he shall find to have been legally expended in and about such Relief from the After September 29th the Guardians of Parish or Union in the Metropolis may keep Account of Relief to certain Poor, and obtain Reimbursement of the Amount

Metropolitan Board of Works.

Relief under his Hand, and the said Guardians may thereupon make Application in Writing to the Metropolitan Board of Works for Reimbursement of the Amount so certified by the Auditor.

The Metropolitan Board of Works shall reimburse the Guardians out of their General Rate.

2. The said Metropolitan Board of Works shall forthwith pay the Amount so certified to the Guardians making the Application out of the Funds in their Possession from Time to Time raised under the Provisions of the said Metropolis Local Management Act, and the Amount so paid shall be deemed to be Part of the Expenses for which the said Board are empowered to make Assessments under the said Act, and the said Guardians shall apply the Sum received in aid of the Poor Rate of their Parish or the Common Fund of their Union, as the Case may be, and shall account for the same accordingly.

What Relief to be reimbursed.

3. The Relief to which this Act shall apply shall include Food and Articles of Necessity supplied by the said Guardians, or by their Relieving or other Officer, or by any Metropolitan Police Constable authorized by them in such Behalf, and also the Cost of Lodging or Shelter provided for any such poor Person, but not Money given to him.

Provision for the Case where Vagrant Wards established.

4. Where the Guardians shall have provided proper Wards or other Places of Reception for this Class of Poor, and the same shall have been approved of by the Poor Law Board, they may include as Part of the Expense incurred by them in the Relief of these poor Persons such Sum in respect of each Pauper as the Poor Law Board shall from Time to Time allow for the Cost and Expense of providing and maintaining such Wards or other Places.

Interpretation of Words.

5. The several Words used in this Act shall be construed as in the Act of the Fourth and Fifth William the Fourth, Chapter Seventy-six, and the subsequent Acts explaining and extending the same, and the Provisions thereof not inconsistent with anything herein contained shall be incorporated herewith.

Title of the Act.

6. This Act may be cited for all Purposes as the "Metropolitan Houseless Poor Act, 1864."

Poor Relief (Metropolis).

A

BILL

To make Provision for distributing the Charge of Relief of certain Classes of poor Persons over the whole of the Metropolis.

(*Prepared and brought in by Mr. Villiers and Mr. Gilpin.*)

Ordered, by The House of Commons, *to be Printed*, 19 *July* 1864.

[Bill 224.]

Under 1 *oz.*

A

B I L L

TO

Explain the Statutes of Her present Majesty for amending the Laws relating to the Removal of the Poor.

WHEREAS it is enacted in the First Section of the Statute of the Twenty-fifth Year of the Reign of Her present Majesty, Chapter Fifty-five, that after the Twenty-fifth Day of March then next the Period of Three Years should be substituted for that of Five Years specified in the First Section of the Statute Ninth and Tenth Victoria, Chapter Sixty-six, and that the Residence of a Person in any Part of a Union should have the same Effect in reference to the Provisions of the said Section as a Residence in any Parish: And whereas Doubts exist as to the proper Meaning of this latter Provision, and it is desirable to remove the same: Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same: Preamble.

1. That in the Case of any poor Person heretofore chargeable or hereafter becoming chargeable in any Parish comprised in a Union not being the Parish of his Settlement the Period of Time during which Residence in the Parish of a Settlement not to be excluded in the

Computation of the Period of Residence under 24 & 25 Vict. c. 55.

which he shall have resided in the Parish of the Settlement, if in the same Union, shall not be excluded in the Computation of the Time of Residence required to render him exempt from Removal under the Statutes above referred to.

Saving of Orders of Removal executed.

2. Nothing herein contained shall apply to any Order of Removal made and executed before *the passing of this Act.*

Interpretation Clause.

3. This Act shall be interpreted in the same Manner as the said first-mentioned Act.

Poor Removal.

A

BILL

To explain the Statutes of Her present Majesty for amending the Laws relating to the Removal of the Poor.

(*Prepared and brought in by Mr. Villiers and Mr. Gilpin.*)

Ordered, by The House of Commons, *to be Printed,* 18 *July* 1864.

[Bill 222]

Under 1 *oz.*

563

A

B I L L

TO

Extinguish certain Rights of Way through the Landport Gate, Ravelin, and Glacis, and the Sallyport adjacent thereto, situate at Portsea Island in the County of Hants.

WHEREAS it has been represented to Her Majesty's Principal Secretary of State for the War Department that it would be a great public Convenience to the Inhabitants of Portsmouth if a new Road leading from the East End of the High Street, Portsmouth, through the Town Mount Bastion, Ditch, and Glacis, to the Commercial Road, was formed upon Land vested in the Principal Secretary, in trust for the Crown, and that upon the Formation thereof the Roadway now existing, and passing through the Landport Gate, Ravelin, and Glacis, and also the Footway passing through the Sallyport near thereto, should be closed, and the Site thereof formed up or appropriated to the Purposes of the War Department: And whereas the Sites of the said intended Road, and of the now existing Road, and Way, are shown on a Plan signed by the said Principal Secretary, duplicate Copies of which Plan are held by the said Principal Secretary, and Preamble.

by the Clerk of the Commissioners for Paving, Lighting, and Improving the Town of Portsmouth: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Upon Formation of new Road certain Rights of Way through Landport Gate to cease.

1. Upon the Formation of a new Road by the Commissioners for Paving, Lighting, and Improving the Town of Portsmouth, leading from the East End of the High Street, Portsmouth, through the Town Mount Bastion, Ditch, and Glacis, and the Dedication thereof to public Use, according to the Form of the Statute in that Case made and provided, it shall be lawful for Her Majesty's Principal Secretary of State for the War Department to declare, by Notice in Writing published in the London Gazette and in some local Newspapers circulated in the Borough of Portsmouth, and also affixed on the outer Door of the Town Hall or some other public Place in the said Borough, that all Rights of Way on, over, or upon the said existing Road passing through the Landport Gate shall from the Date mentioned in such Notice absolutely cease and determine.

New Road to be kept in repair by Commissioners.

2. The said new Road so formed and made by the said Commissioners shall for ever hereafter be repaired, lighted, and cleansed by them and their Successors, and the Expences thereof borne and paid by them out of Rates levied for that Purpose.

Portsea Island (Rights of Way).

A

BILL

To extinguish certain Rights of Way through the Landport Gate, Ravelin, and Glacis, and the Sallyport adjacent thereto, situate at Portsea Island in the County of Hants.

(*Prepared and brought in by The Marquis of Hartington and The Judge Advocate.*)

Ordered, by The House of Commons, *to be Printed,* 20 *July* 1864.

[Bill 229.]

Under 1 *oz.*

Portsmouth Dockyard (Acquisition of Lands) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble.

Preliminary.

1. Short Title.
2. Interpretation.

Lands.

3. Power for Admiralty to take specified Lands.

Works.

4. Power to execute Works according to Plans and Sections.
5. Substitution of new Landing Place for present Hard.
6. Admiralty to maintain new Road from Unicorn Gate.
7. Vesting in Admiralty of Foreshore purchased, Ways stopped up, &c.

A

B I L L

TO

Authorize the Acquisition of Lands by the Admiralty with a view to the Extension of Portsmouth Dockyard, and for other Purposes connected therewith.

WHEREAS it is expedient that the Admiralty be empowered to acquire certain Property, and to execute certain Works, with a view to the Extension of Her Majesty's Dockyard at Portsmouth: Preamble.

And whereas a Plan and Sections and a Book of Reference relating to such Lands and Works have been deposited with the Clerk of the Peace for the County of Southampton, which are herein-after referred to as the deposited Plan, Sections, and Book of Reference:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited as The Portsmouth Dockyard Act, 1864.

Interpretation.

2. Terms used in this Act have the same Meanings as the same Terms have in The Admiralty Lands and Works Act, 1864.

Lands.

Power for Admiralty to take specified Lands.

3. Subject and according to the Provisions of The Admiralty Lands and Works Act, 1864, the Admiralty may, by Agreement or compulsorily, purchase or take all or any Part of the Lands described in the deposited Plan and Book of Reference, or any Interest or Easement in or over the same Lands or any of them.

Works.

Power to execute Works according to Plans and Sections.

4. Subject and according to the Provisions of The Admiralty Lands and Works Act, 1864, the Admiralty may, on the Lands taken by them under this Act, and in the Lines, and on the Levels, and within the Limits of Deviation shown on the deposited Plan and Sections, make and execute the Works shown on the deposited Plan, or any of them; which Works comprise the following; namely,—

First.—To make and erect a new Landing Place or Hard, Pier, or Wharf on and along the Shore of the Harbour of Portsmouth on the Eastern Side of the Portsea Island Gasworks at or near Flathouse, and extending for a Distance of Four hundred and twenty Feet or thereabouts along the said Shore from the Eastern Boundary Wall of the said Gasworks (herein-after called the new Landing Place):

Second.—To make, dredge, deepen, and scour a Channel or Approach up to the new Hard, commencing from the Western End of Rotten Row Lake where the same joins Fountain Lake in the said Harbour:

Third.—To make a new Road or Street to commence at Unicorn Gate in the Town of Portsea, and to terminate by a Junction with a certain Street in the Parish of Portsea, called Herbert Street, at the West End thereof:

Fourth.—To permanently stop up and discontinue so much of a certain Carriage-road and Footpath in the Parish of Portsea (known as Flathouse Road) as lies between the West End of Abercrombie Street and the Northern End of Flathouse Row:

Fifth.

Fifth.—To permanently stop up and discontinue so much of the Carriage-road and Footpath leading from Flathouse Road past the Portsea Island Gasworks (known as Flathouse, otherwise Flathouse Road,) as lies between Flathouse Row and the Manager's House and Offices attached to the said Gasworks:

Sixth.—To permanently stop up and discontinue the Carriage-road and Footpath called Unicorn Gate Road, leading from Unicorn Gate, in the Parish of Portsea, to Abercrombie Street:

Seventh.—To permanently stop up and discontinue all Roads, Ways, Paths, and Passages leading into, across, or from the several Carriage-roads and Footpaths aforesaid:

Eighth.—To permanently stop up and discontinue the several Roads or Ways known as Pitt Street, Portland Street, and Stewart's Row, passing over and across the Lands and Fields commonly called Pesthouse Fields in the Parish of Portsea:

And may erect, make, and maintain all Buildings, Erections, Drains, Sewers, Ways, and Works necessary or proper for the Execution, Management, or Use of the said several Works.

Substitution of new Landing Place for present Hard.

5. As soon as the Admiralty have completed and opened for public Use the new Landing Place (of which Completion and Opening a Certificate under the Hand of the Recorder of Portsmouth shall be conclusive Evidence, which Certificate the said Recorder shall sign on being satisfied of such Completion and Opening) the following Provisions shall take effect; namely,—

(1.) The Admiralty may permanently stop up and discontinue (as against the Public) the now-existing public Hard or Way, Passage, Pier, or Landing Place on the Shore of Portsmouth Harbour, known as Anchor Gate Wharf (herein-after called the present Hard), and the Approach thereto:

(2.) Thenceforth all Rights of Way and other Rights, and all Powers, Interests, Privileges, and Easements, in, over, or affecting the present Hard and the Approach thereto, or any Part thereof respectively, shall be extinguished, and the present Hard and the Approach thereto and the Soil thereof respectively shall vest absolutely and exclusively in the Admiralty, subject nevertheless and according to the Provisions of The Admiralty Lands and Works Act, 1864:

(3.) The Right and Obligation to maintain, repair, watch, light, and manage the new Landing Place and the

Property therein shall devolve on and be vested in the Corporation, Commissioners, Trustees, or public Body or Persons for the Time being charged with the Maintenance, Repair, Watching, Lighting, and Management of the public Streets and Ways of the Parish of Portsea:

(4.) The Admiralty shall from Time to Time dredge, scour, and keep open a proper Channel or Approach up to the new Hard.

Admiralty to maintain new Road from Unicorn Gate.

6. The Admiralty shall at all Times maintain and repair the new Road or Street commencing at Unicorn Gate (being the Work thirdly herein-before described).

Vesting in Admiralty of Foreshore purchased, Ways stopped up, &c.

7. As soon as any Part of the Foreshore which the Admiralty are by this Act authorized to purchase or take is purchased or taken by them, or any Road, Footpath, or Way which the Admiralty are by this Act authorized to permanently stop up and discontinue is stopped up by them, all Rights of Way and other Rights, and all Powers, Interests, Privileges, and Easements, in, over, or affecting the same or any Part thereof respectively, shall be extinguished, and the same Part of the Foreshore, Road, Footpath, or Way, and the Soil thereof respectively, shall vest absolutely and exclusively in the Admiralty, subject nevertheless and according to the Provisions of The Admiralty Lands and Works Act, 1864.

Portsmouth Dockyard (Acquisition of Lands).

A

B I L L

To authorize the Acquisition of Lands by the Admiralty with a view to the Extension of Portsmouth Dockyard, and for other Purposes connected therewith.

(Prepared and brought in by Lord Clarence Paget and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,* 15 *June* 1864.

[Bill 152.]

Under 1 *oz.*

Portsmouth Dockyard (Acquisition of Lands) Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble.

Preliminary.

1. Short Title.
2. Interpretation.

Lands.

3. Power for Admiralty to take specified Lands.

Works.

4. Power to execute Works according to Plans and Sections.
5. Substitution of new Landing Place for present Hard.
6. Admiralty to maintain new Road from Unicorn Gate.
7. Vesting in Admiralty of Foreshore purchased, Ways stopped up, &c.
8. Portsea Island Gaslight Company may construct Two Jetties.
9. Provision as to Road through the Works of the said Company.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Authorize the Acquisition of Lands by the Admiralty with a view to the Extension of Portsmouth Dockyard, and for other Purposes connected therewith.

WHEREAS it is expedient that the Admiralty be empowered to acquire certain Property, and to execute certain Works, with a view to the Extension of Her Majesty's Dockyard at Portsmouth : Preamble.

And whereas a Plan and Sections and a Book of Reference relating to such Lands and Works have been deposited with the Clerk of the Peace for the County of Southampton, which are herein-after referred to as the deposited Plan, Sections, and Book of Reference :

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Preliminary.

Short Title.

1. This Act may be cited as The Portsmouth Dockyard Act, 1864.

Interpretation.

2. Terms used in this Act have the same Meanings as the same Terms have in The Admiralty Lands and Works Act, 1864.

Lands.

Power for Admiralty to take specified Lands.

3. Subject and according to the Provisions of The Admiralty Lands and Works Act, 1864, the Admiralty may, by Agreement or compulsorily, purchase or take all or any Part of the Lands described in the deposited Plan and Book of Reference, or any Interest or Easement in or over the same Lands or any of them.

Works.

Power to execute Works according to Plans and Sections.

4. Subject and according to the Provisions of The Admiralty Lands and Works Act, 1864, the Admiralty may, on the Lands taken by them under this Act, and in the Lines, and on the Levels, and within the Limits of Deviation shown on the deposited Plan and Sections, make and execute the Works shown on the deposited Plan, or any of them; which Works comprise the following; namely,—

First.—To make and erect a new Landing Place or Hard, Pier, or Wharf on and along the Shore of the Harbour of Portsmouth on the Eastern Side of the Portsea Island Gasworks at or near Flathouse, and extending for a Distance of Four hundred and twenty Feet or thereabouts along the said Shore from the Eastern Boundary Wall of the said Gasworks (herein-after called the new Landing Place):

Second.—To make, dredge, deepen, and scour a Channel or Approach up to the new Hard, commencing from the Western End of Rotten Row Lake where the same joins Fountain Lake in the said Harbour:

Third.—To make a new Road or Street to commence at Unicorn Gate in the Town of Portsea, and to terminate by a Junction with a certain Street in the Parish of Portsea, called Herbert Street, at the West End thereof:

Fourth.—To permanently stop up and discontinue so much of a certain Carriage-road and Footpath in the Parish of Portsea (known as Flathouse Road) as lies between the West End of Abercrombie Street and the Northern End of Flathouse Row:

Fifth.

Fifth.—To permanently stop up and discontinue so much of the Carriage-road and Footpath leading from Flathouse Road past the Portsea Island Gasworks (known as Flathouse, otherwise Flathouse Road,) as lies between Flathouse Row and the Manager's House and Offices attached to the said Gasworks :

Sixth.—To permanently stop up and discontinue the Carriage-road and Footpath called Unicorn Gate Road, leading from Unicorn Gate, in the Parish of Portsea, to Abercrombie Street :

Seventh.—To permanently stop up and discontinue all Roads, Ways, Paths, and Passages leading into, across, or from the several Carriage-roads and Footpaths aforesaid :

Eighth.—To permanently stop up and discontinue the several Roads or Ways known as Pitt Street, Portland Street, and Stewart's Row, passing over and across the Lands and Fields commonly called Pesthouse Fields in the Parish of Portsea :

And may erect, make, and maintain all Buildings, Erections, Drains, Sewers, Ways, and Works necessary or proper for the Execution, Management, or Use of the said several Works.

Substitution of new Landing Place for present Hard.

5. As soon as the Admiralty have completed and opened for public Use the new Landing Place (of which Completion and Opening a Certificate under the Hand of the Recorder of Portsmouth shall be conclusive Evidence, which Certificate the said Recorder shall sign on being satisfied of such Completion and Opening) the following Provisions shall take effect ; namely,—

(1.) The Admiralty may permanently stop up and discontinue (as against the Public) the now-existing public Hard or Way, Passage, Pier, or Landing Place on the Shore of Portsmouth Harbour, known as Anchor Gate Wharf (herein-after called the present Hard), and the Approach thereto :

(2.) Thenceforth all Rights of Way and other Rights, and all Powers, Interests, Privileges, and Easements, in, over, or affecting the present Hard and the Approach thereto, or any Part thereof respectively, shall be extinguished, and the present Hard and the Approach thereto and the Soil thereof respectively shall vest absolutely and exclusively in the Admiralty, subject nevertheless and according to the Provisions of The Admiralty Lands and Works Act, 1864 :

(3.) The Right and Obligation to maintain, repair, watch, light, and manage the new Landing Place and the

Property therein shall devolve on and be vested in the Corporation, Commissioners, Trustees, or public Body or Persons for the Time being charged with the Maintenance, Repair, Watching, Lighting, and Management of the public Streets and Ways of the Parish of Portsea:

(4.) The Admiralty shall from Time to Time dredge, scour, and keep open a proper Channel or Approach up to the new Hard.

Admiralty to maintain new Road from Unicorn Gate.

6. The Admiralty shall at all Times maintain and repair the new Road or Street commencing at Unicorn Gate (being the Work thirdly herein-before described).

Vesting in Admiralty of Foreshore purchased, Ways stopped up, &c.

7. As soon as any Part of the Foreshore which the Admiralty are by this Act authorized to purchase or take is purchased or taken by them, or any Road, Footpath, or Way which the Admiralty are by this Act authorized to permanently stop up and discontinue is stopped up by them, all Rights of Way and other Rights, and all Powers, Interests, Privileges, and Easements, in, over, or affecting the same or any Part thereof respectively, shall be extinguished, and the same Part of the Foreshore, Road, Footpath, or Way, and the Soil thereof respectively, shall vest absolutely and exclusively in the Admiralty, subject nevertheless and according to the Provisions of The Admiralty Lands and Works Act, 1864.

The Portsea Island Gaslight Company to be allowed to construct Two Jetties.

8. The Portsea Island Gaslight Company may, at their own Expense, at or any Time after the passing of this Act, erect and construct Two Jetties from that Portion of their Works which is situate between the Flathouse otherwise the Flathouse Road and the Shore of the said Harbour to the Channel or Approach herein-before described, and which the Admiralty are by this Act authorized to make and execute, and may thenceforth use such Jetties for any Purpose whatsoever connected with their Undertaking: Provided always, that all the Works of and in relation to the said Jetties shall be executed under the Direction and to the Satisfaction of the Admiralty; and that if at any Time hereafter the Admiralty, by Notice in Writing under the Hand of One of the Secretaries of the Admiralty and delivered at the Office of the said Company, require the said Company to remove the said Jetties, or either of them, the said Company shall within Three Months from the Delivery of such Notice remove the same accordingly, and restore the Site thereof to its former Condition; and if they fail wholly or in part so to do, then on or at any Time after the Expiration of that

that Period the Admiralty may remove or complete the Removal of such Jetty or Jetties and restore the Site thereof to its former Condition at the Expense of the said Company, and the Amount of such Expense shall be a Debt due from the said Company to the Crown, and be recoverable accordingly with Costs, or the same may be recovered, with Costs, as a Penalty is or may be recovered from the said Company.

As to Road through the Works of the Portsea Island Gas-light Company.

9. So much of the said Road known as Flathouse otherwise Flathouse Road as is situate in front and to the North-east of the Manager's House and Offices attached to the said Gas Works, and between the Point where the Premises of the Company on the South-east Side of such Road commence and the Point where the Premises of the said Company on the North-west Side of such Road terminate, shall from and immediately after the passing of this Act become the Property of the said Gas Company, and may thenceforth be appropriated and used by them as Part of their Undertaking.

Portsmouth Dockyard (Acquisition of Lands).

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To authorize the Acquisition of Lands by the Admiralty with a view to the Extension of Portsmouth Dockyard, and for other Purposes connected therewith.

(*Prepared and brought in by Lord Clarence Paget and Mr. Childers.*)

Ordered, by The House of Commons, *to be Printed,* 12 *July* 1864.

[Bill 200.]

Under 1 *oz.*

A

BILL

FOR

Awarding Costs in certain Cases to Opponents and Promoters of Private Bills.

WHEREAS it is expedient to award Compensation or Costs to Parties who have been subjected to Expense by the Promotion of speculative and unsound Railway Schemes in the House of Commons, and to Promoters of Schemes bonâ fide proposed for the public Advantage, in Cases where the Opposition to such Schemes has been groundless and vexatious: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. When the Committee on a Railway Bill are unanimous in their Decision that the Preamble is not proved, and further unanimously report that the proposed Scheme was either unnecessary and unsuitable, the Opponents shall be entitled to recover their Costs of the Opposition out of the Deposit, such Costs to be taxed by the Taxing Officer of the House as herein-after mentioned. When Committee report unanimously "Preamble not proved," Opponents to be entitled to recover Costs.

2. When the Opposition has been unanimously declared by the Committee to be unfounded and vexatious, then and in every such Case When Committee report unanimously "Opposition

unfounded," Promoters to be entitled to recover Costs.

Case the Promoters shall in like Manner be entitled to recover the Costs of their Opposition from the Parties so opposing.

Costs to be taxed.

3. On Application made to the Taxing Officer of the House of Commons by such Promoters or Opponents, or by their Solicitors or Parliamentary Agents, not later than *Six Calendar Months* after the Report of such Committee, and not until *One Month* after a Bill of such Costs and Expenses shall have been delivered to the Party chargeable therewith, which Bill shall be subscribed with the proper Hand of the Parties claiming such Costs and Expenses, or of their Solicitor or Parliamentary Agent, the Taxing Officer shall examine and tax such Costs and Expenses, and shall deliver to the Party, on applying, a Certificate signed by himself expressing the Amount of such Costs and Expenses, with the Name of the Party liable to pay the same, and the Name of the Party entitled to receive the same, which Names shall be those of the Parties signing the Petition for Bill or Petition against, as the Case may be; and such Certificate shall be conclusive Evidence, for all Purposes whatever, as well of the Amount of the Demand as of the Title of the Party therein named to recover the same from the Party therein stated to be liable to the Payment thereof; and the Party claiming under the same shall upon Payment thereof give a Receipt at the Foot of such Certificate, which shall be a sufficient Discharge for the same.

Powers of Taxing Officer.

4. All Powers given to the Taxing Officer by the Act Ten and Eleven Victoria, Chapter Sixty-nine, with reference to the Examination of Parties and Witnesses on Oath, and with reference to the Production of Documents, and with reference to the Fees payable in respect of any Taxation, shall be vested in the Taxing Officer for the Purposes of this Act.

Recovery of Costs when taxed.

5. The Party entitled to such taxed Costs and Expenses, or his Executors or Administrators, may demand the whole Amount thereof, so certified as above, from any One or more of the Persons liable to the Payment thereof, and in case of Nonpayment thereof on Demand may recover the same by Action of Debt in any of Her Majesty's Courts of Record at Westminster or Dublin or in the Court of Session in Scotland, in which Action it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to him in the Sum mentioned in the said Certificate; and the said Plaintiff shall, upon filing the said Declaration, together with the said Certificate and an Affidavit of such Demand as aforesaid, be at liberty to sign Judgment as for Want of Plea by Nil dicit, and take out Execution for the said Sum so mentioned in the said Certificate, together with the Costs of the said Action, according to

according to due Course of Law: Provided always, that the Validity of such Certificate (the Handwriting of the Speaker thereunto being duly verified) shall not be called in question in any Court.

Persons paying Costs may recover a Proportion from other Persons liable thereto.

6. In every Case it shall be lawful for any Person from whom the Amount of such Costs and Expenses have been so recovered to recover in like Manner from the other Persons, or any of them (if such there be), who are liable to the Payment of the same Costs and Expenses, a proportionate Share thereof, according to the Number of Persons so liable, and according to the Extent of the Liability of each Person.

Private Bill Costs.

A

BILL

For awarding Costs in certain Cases to Opponents and Promoters of Private Bills.

(Prepared and brought in by Mr. Scourfield and Mr. Massey.)

Ordered, by The House of Commons, *to be Printed,* 18 *July* 1864.

[Bill 221.]

Under 1 *oz.*

A

BILL

TO

Remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum in Ireland.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

So much of 8 & 9 Vict., c. 37. as prohibits or restrains the Negotiation in Ireland of Notes and Bills under 5*l.* repealed.

1. From and after the *passing of this Act* so much and such Parts of an Act passed in the Eighth and Ninth Years of Her Majesty's Reign, Chapter Thirty-seven, as prohibits the drawing, making, and issuing, or restrains or imposes any Penalty for or on account of the publishing, uttering, or negotiating in Ireland of any Promissory or other Note (not being a Note payable to Bearer on Demand), Bill of Exchange, Draft, or Undertaking in Writing, being negotiable or transferable, for the Payment of Twenty Shillings or above that Sum and less than Five Pounds, or on which Twenty Shillings or above that Sum and less than Five Pounds shall remain undischarged, made, drawn, or endorsed in any other Manner than is directed by the said Act, or which requires or directs that all such Notes, Bills, Drafts, or Undertakings as aforesaid which shall be issued in Ireland shall be made, drawn, or endorsed

according to the Forms contained in the Schedules to the said Act, shall be and the same is and are hereby repealed.

Term of this Act.

2. This Act shall continue in force for *Two Years and until the End of the then next ensuing Session of Parliament.*

Promissory Notes and Bills of Exchange (Ireland).

A

B I L L

To remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum in Ireland.

(*Prepared and brought in by*
Sir Colman O'Loghlen and Captain Stacpoole.)

Ordered, by The House of Commons, *to be Printed,*
19 *April* 1864.

[Bill 74.]

Under 1 *oz.*

4 *May* 1864. 27 Vict.

A

B I L L

FOR

Further regulating the closing of Public Houses and Refreshment Houses within the Metropolitan Police District.

WHEREAS it is expedient to amend the Law relating to the closing of Public Houses and Refreshment Houses within the Metropolitan Police District: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as the "Public House (Metropolitan) Closing Act, 1864." Short Title of Act.

2. "Refreshment House" shall in this Act have the same Meaning as it has in the Act passed in the Session holden in the Twenty-third Year of the Reign of Her present Majesty, Chapter Twenty-seven, intituled "An Act for granting to Her Majesty certain "Duties on Wine Licences and Refreshment Houses, and for regulating the licensing of Refreshment Houses and the granting of "Wine Licences:" Definitions.

"Exciseable Liquor" shall mean any Spirits, Foreign Wine, Beer, Cider, Sweets, or made Wines, as defined by the Acts relating to the Excise.

3. No

Closing of Public Houses and Refreshment Houses.

3. No Licensed Victualler within the Metropolitan Police District shall sell or expose for Sale, or open or keep open any House for the Sale or Consumption of Exciseable Liquors or any Article whatsoever between the Hours of *One and Four* o'Clock in the Morning.

No Person within the Metropolitan Police District shall open or keep open any Refreshment House, or sell or expose for Sale or Consumption in any Refreshment House any Refreshments or any Article whatsoever, between the above-mentioned Hours.

Any Person acting in contravention of this Section shall be punishable under Section Seventy-three of the Act passed in the Session of the Second and Third Years of Her present Majesty, Chapter Forty-seven, intituled "An Act for further improving the "Police in and near the Metropolis," as in respect of an Offence against that Act for which no special Penalty is appointed.

Nothing herein contained shall preclude a Licensed Victualler from selling Exciseable Liquors to or allowing the same to be consumed by Persons lodging in his House, or the Keeper of a Refreshment House from selling Refreshments to or allowing the same to be consumed by Persons lodging in his House, within the above-mentioned Hours.

Nothing herein contained shall authorize a Licensed Victualler to sell Exciseable Liquors on any Sunday, Christmas Day, Good Friday, or Day appointed for Public Fast or Thanksgiving, otherwise than during the Times at which he is now authorized by Law to sell the same, or authorize any other Person to sell Exciseable Liquors, keep open any Refreshment House, or sell Refreshments otherwise than at the Times and upon the Conditions prescribed by the Acts of Parliament in that Behalf made.

Application of Act to free Vintners.

4. This Act shall apply to a Freeman of the Company of the Master, Wardens, and Commonalty of Vintners of the City of London in the same Manner as if he were a Licensed Victualler.

Public and Refreshment Houses (Metropolis).

A

B I L L

For further regulating the closing of Public Houses and Refreshment Houses within the Metropolitan Police District.

(*Prepared and brought in by Sir George Grey and Mr. Baring.*)

Ordered, by The House of Commons, *to be Printed*, 4 *May* 1864.

[Bill 92.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

FOR

Further regulating the closing of Public Houses and Refreshment Houses within the Metropolitan Police District, the City of London, and certain Corporate Boroughs.

WHEREAS it is expedient to amend the Law relating to the closing of Public Houses and Refreshment Houses within the Metropolitan Police District, the City of London, and certain Corporate Boroughs: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as the "Public House (Metropolitan) Closing Act, 1864." Short Title of Act.

2. This Act shall be in force only within the Limits of the Metropolitan Police District, the City of London, and the Liberties thereof, and such Corporate Boroughs as may adopt the same in manner herein-after mentioned. Clause A. Limits of Act.

3. "Cor-

CLAUSE B. Definition of Corporate Borough.

3. "Corporate Borough" shall mean any Place for the Time being subject to the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Seventy-six, intituled "An Act to provide for the Regulation of "Municipal Corporations in England and Wales."

Definitions.

4. "Refreshment House" shall in this Act have the same Meaning as it has in the Act passed in the Session holden in the Twenty-third Year of the Reign of Her present Majesty, Chapter Twenty-seven, intituled "An Act for granting to Her Majesty certain "Duties on Wine Licences and Refreshment Houses, and for regu- "lating the licensing of Refreshment Houses and the granting of "Wine Licences:"

"Exciseable Liquor" shall mean any Spirits, Foreign Wine, Beer, Cider, Sweets, or made Wines, as defined by the Acts relating to the Excise.

Closing of Public Houses and Refreshment Houses.

5. Save as herein-after mentioned no Licensed Victualler within the Limits of this Act shall sell or expose for Sale, or open or keep open any House, Room, Garden, or other Place for the Sale or Consumption of Exciseable Liquors or any Article whatsoever between the Hours of One and Four o'Clock in the Morning.

No Person within the Limits of this Act shall open or keep open any Refreshment House, or sell or expose for Sale or Consumption in any Refreshment House, any Refreshments or any Article whatsoever between the above-mentioned Hours.

Any Person acting in contravention of this Section shall be liable to a Penalty not exceeding Five Pounds, to be recovered in a summary Manner as provided by the Act of the Session of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three.

Nothing herein contained shall preclude a Licensed Victualler from selling Exciseable Liquors to or allowing the same to be consumed by Persons lodging in his House, or the Keeper of a Refreshment House from selling Refreshments to or allowing the same to be consumed by Persons lodging in his House, within the above-mentioned Hours.

Nothing herein contained shall authorize a Licensed Victualler to sell Exciseable Liquors on any Sunday, Christmas Day, Good Friday, or Day appointed for Public Fast or Thanksgiving, otherwise than during the Times at which he is now authorized by Law to sell the same, or authorize any other Person to sell Exciseable Liquors, keep open any Refreshment House, or sell Refreshments otherwise than at the Times and upon the Conditions prescribed by the Acts of Parliament in that Behalf made.

6. This

6. This Act shall apply to a Freeman of the Company of the Master, Wardens, and Commonalty of Vintners of the City of London in the same Manner as if he were a Licensed Victualler. Application of Act to free Vintners.

7. If any Licensed Victualler or Keeper of a Refreshment House as aforesaid within the Limits of this Act applies to the Local Authority herein-after mentioned for a Licence exempting him from the Provisions of this Act on any special Occasion or Occasions, it shall be lawful for the Local Authority, if in its Discretion it thinks fit so to do, to grant to the Applicant an Occasional Licence exempting him from the Provisions of this Act during certain Hours and on a special Occasion or Occasions to be specified in the Licence; and no Licensed Victualler or Keeper of a Refreshment House to whom an Occasional Licence has been granted under this Act shall be subject to any Penalty for a Contravention of this Act during the Time to which his Occasional Licence extends, but he shall not be exempted by such Occasional Licence from any Penalty to which he may be subject under any other Act of Parliament. Clause C. Occasional Licence.

8. The following Persons and Bodies of Persons shall be deemed to be Local Authorities capable of granting Occasional Licences for the Purposes of this Act; that is to say, Clause D. Definition of Local Authority.

(1.) In the Metropolitan Police District, the Commissioner of Police for the Metropolis, subject to the Approbation of One of Her Majesty's Principal Secretaries of State:

(2.) In the City of London and the Liberties thereof, the Commissioner of City Police, subject to the Approbation of the Lord Mayor of the said City:

(3.) In any Borough in which this Act may be in force, the Superintendent or other Chief Officer of Police in the said Borough, subject to the Approbation of the Mayor.

9. A Corporate Borough may adopt this Act by a Resolution of the Council assembled at a Meeting held for the Purpose, of which such Notice has been given, and which has been summoned on such Requisition of the Ratepayers as is required in the Case of the Adoption of "The Local Government Act, 1858," by a Corporate Borough to which the Local Government Act has not been applied, in pursuance of Sections Twelve and Thirteen of the said Local Government Act, and Notice of the Adoption of this Act shall be given to the Secretary of State as in the Case of the Adoption of the said Local Government Act. Clause E. Adoption of Act by Corporate Borough.

This Act shall come into operation in a Corporate Borough in which a Resolution adopting the same has been passed at the Expiration of One Month from the Date of the passing of the

Resolution; and no Objection whatever to the Legality of the Adoption of this Act by any Corporate Borough shall be made at any Trial or in any legal Proceeding after the Expiration of Three Months from the Date of the passing of the Resolution adopting the same.

CLAUSE F. Exemption of Railway Stations.

10. Nothing herein contained shall apply to the Sale at a Railway Station between the Hours of One and Four o'Clock in the Morning of Exciseable Liquors or Refreshments to Persons arriving at or departing from such Station by Railroad.

Public and Refreshment Houses (Metropolis).

A

B I L L

[AS AMENDED IN COMMITTEE]

For further regulating the closing of Public Houses and Refreshment Houses within the Metropolitan Police District, the City of London, and certain Corporate Boroughs.

(*Prepared and brought in by Sir George Grey and Mr. Baring.*)

Ordered, by The House of Commons, *to be Printed,* 6 *June* 1864.

[Bill 132.] *Under* 1 *oz.*

A

B I L L

INTITULED

An Act for annexing Conditions to the Appointment of Persons to Offices in the Governing Bodies of certain Public Schools and Colleges.

WHEREAS a Commission was issued in the Year One thousand eight hundred and sixty-one, under Letters Patent of Her Majesty, for the Purpose of inquiring into the Nature and Application of the Endowments and into the Administration and Management of the Colleges and Schools named in the Schedule annexed hereto: And whereas the said Commission reported, amongst other things, to Her Majesty, that Parliamentary Legislation would be required in order to make the Changes which the said Commission considered desirable, in respect, amongst other things, of the Governing Bodies of the said Colleges and Schools: And whereas it is expedient that no Impediment should be created to the free Action of the Legislature in making the said Changes, by the Acquisition of vested Interests in the Property of the said Colleges and Schools by Persons who may be appointed to Offices in the Governing Bodies thereof after the Date of the passing of this Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual Preamble.

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The Public Schools Act, 1864."

Newly appointed Officers to take subject to future Legislation.

2. Every Person appointed after the passing of this Act to any Office in the Governing Body of any of the said Colleges or Schools shall take and hold that Office subject to such Provisions and Regulations as may hereafter be enacted respecting the same.

Definition of "Governing Body."

3. "Governing Body" shall mean any One of the several Bodies referred to in the Report of the said Commissioners as being a Governing Body of any of the said Colleges or Schools, with the Addition of the Head Master or other Masters thereof; and any Person appointed a Member of the Governing Body of any such College or School as aforesaid, or a Master thereof, shall be deemed to be appointed to an Office in the Governing Body of the said College or School.

SCHE-

SCHEDULE referred to in this Act.

1. Eton College.
2. Winchester College.
3. The Collegiate School of St. Peter, Westminster.
4. The Charterhouse School.
5. St. Paul's School in the City of London.
6. The Merchant Taylors School in the City of London.
7. The Free Grammar School of John Lyon at Harrow-on-the-Hill in the County of Middlesex.
8. The School founded by Lawrence Sheriff at Rugby in the County of Warwick.
9. The Free Grammar School of King Edward the Sixth at Shrewsbury.

Public Schools.

A

BILL

INTITULED

An Act for annexing Conditions to the Appointment of Persons to Offices in the Governing Bodies of certain Public Schools and Colleges.

(*Brought from the Lords* 17 *June* 1864.)

Ordered, by The House of Commons, *to be Printed,* 23 *June* 1864.

[Bill 168.]

Under 1 *oz.*

A

BILL

TO

Amend the Acts for the Extension and Promotion of Public Works in Ireland.

WHEREAS the Commission of Public Works in Ireland at present consists of Three Persons, and it is considered probable that Two Commissioners may be found sufficient for the Discharge of the Duties of the said Commission: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. From and after *the passing of this Act* the Commission of Public Works in Ireland may consist of *Two* Persons, anything in any Act of Parliament heretofore passed to the contrary notwithstanding; and such *Two* Commissioners shall have all the Powers and Authorities by any Act of Parliament conferred upon the Commissioners of Public Works, and all Acts which the said Commissioners of Public Works are by any Act of Parliament required or authorized to do may be done by any One or more of the said Commissioners. The Commissioners of Public Works may consist of Two.

2. And whereas the said Commissioners of Public Works in Ireland have from Time to Time been appointed by the Lord Lieutenant When the Commissioners of Public

Works have been appointed for the Execution of any other Act, it shall be competent for them to act, though consisting of Two only.

Lieutenant of Ireland to be Commissioners of certain Harbours and other Works in Ireland, under the Provisions of certain Acts enabling the said Lord Lieutenant to appoint Commissioners of such Harbours and other Works: Be it enacted, That in all Cases where the Commissioners of Public Works have been or may hereafter be appointed Commissioners for the Execution of any Act in respect of any Harbour or other Public Work, or otherwise by the said Lord Lieutenant of Ireland, they shall be competent and shall continue to act as such Commissioners though consisting of *Two* Persons only, anything in any Act of Parliament authorizing or requiring the Appointment of a greater Number of Persons as Commissioners, or requiring Three or more to be a Quorum, to the contrary notwithstanding.

Provided that nothing shall limit the Power of Her Majesty to appoint additional Commissioners.

3. Provided always, That nothing in this Act contained shall repeal or alter the Provisions of an Act of First and Second William the Fourth, Chapter Thirty-three, or an Act of Ninth and Tenth of Her present Majesty, in respect to the Appointment of Commissioners, or limit the Power of Her Majesty to appoint such additional Commissioners of Public Works, not exceeding Five in the whole, as by the said Acts authorized.

Treasury to make Regulations.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to make such Rules or Regulations for the Conduct and Transaction of the Business of the said Commissioners of Public Works as the Provisions of this Act may render necessary.

Short Title.

5. This Act may be cited as the "Public Works Act, 1864."

Public Works (Ireland).

A

BILL

To amend the Acts for the Extension and Promotion of Public Works in Ireland.

(*Prepared and brought in by Mr. Peel and The Chancellor of the Exchequer.*)

Ordered, by the House of Commons, *to be Printed*, 9 *May* 1864.

[Bill 101.]

Under 1 *oz.*

A

BILL

TO

Extend the Powers of the Public Works (Manufacturing Districts) Act, 1863.

WHEREAS by The Public Works (Manufacturing Districts) Act, 1863, herein-after called the Special Act, Power was given to charge the Consolidated Fund with One million two hundred thousand Pounds, to be at the Disposal of the Public Works Loan Commissioners, who were thereby empowered to make (with the Authority of an Order of the Poor Law Board) Advances out of the Money for the Time being at their Disposal, whether under the Special Act or any other Act, for the Purpose of enabling Local Authorities in the Counties therein mentioned to give Employment to the Labouring and Manufacturing Classes, by Execution of Works of Public Utility and Sanitary Improvement: And whereas sundry Advances have been made by the said Commissioners in exercise of the Powers conferred upon them by the Special Act, and great Benefits have been derived therefrom: And whereas the Sums remaining at the Disposal of the said Commissioners are insufficient to meet the further Advances required for effecting the Objects herein-before mentioned, and it is expedient to make Provision for that Purpose, and for extending for a further

Preamble. 26 & 27 Vict. c. 70.

a further Period the Power of the Poor Law Board to make Orders for Loans under the Special Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Charge on Consolidated Fund of £ to be at the Disposal of the Public Works Loan Commissioners.

1. *For the Purposes of Loans under the Special Act, the Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under the Hands of Two or more of them, cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, to the Account of the Commissioners for the Reduction of the National Debt, any further Sum or Sums of Money not exceeding in the whole Pounds, such Money to be applied exclusively under the Special Act, and to be at the Disposal of the Public Works Loan Commissioners, in like Manner in all respects as Money placed at their Disposal under the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter Eighty), and the Acts therein recited, subject nevertheless to the Provisions of the Special Act and this Act, which Provisions shall have full Effect, notwithstanding anything in the Public Works Loan Act,* 1853, *to the contrary contained.*

Incorporation of Provisions of Public Works Loan Acts.

2. *All the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in and conferred and imposed by the said Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Eighty, and the Acts therein recited, or any of them, so far as the same can be made applicable, and are not varied by the Special Act or this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if the same were herein repeated and set forth.*

Extension of Power of Poor Law Board to make Orders for Loans.

3. The Power of the Poor Law Board to make Orders for Loans conferred by the Special Act shall be extended until the *First Day of January One thousand eight hundred and sixty-five.*

Local Authorities may allow Owners to repay Expenses of private Improvement Works in 30 Years, with

4. Where any Local Board of Health, or Local or other Authority, shall execute any private Improvement Works by means of a Loan under the Special Act or this Act, such Local Board or Local or other Authority may allow the Owner of the Premises in respect of which such Works shall be undertaken to repay the Expenses for which such Owner may have become liable, either by virtue of the Provisions of the Local Government Act,

Act, 1858, or of any Local Act, by equal annual Instalments not exceeding *Thirty*, with Interest at not less than the Rate of *Three Pounds Ten Shillings* per Centum per Annum upon the Sum from Time to Time remaining unpaid; and the Instalments from Time to Time due shall, together with Interest as aforesaid, be recoverable in like Manner in all respects as the Expenses for which an Owner is made liable for private Improvement Works under the Local Government Act, 1858, or any Local Act in force in the Place where such Works have been executed respectively. Interest at 3*l.* 10*s.* per Cent.

5. The Terms used in this Act shall be construed in like Manner as in the Special Act, and Section Twenty-one of that Act shall be construed as having included Parishes and Townships under separate Boards of Guardians. Interpretation.

6. The Special Act and this Act may be cited and described for all Purposes as "The Public Works (Manufacturing Districts) Acts, 1863, 1864." Short Title.

Public Works (Manufacturing Districts).

A

B I L L

To extend the Powers of the Public Works (Manufacturing Districts) Act, 1863.

(Prepared and brought in by Mr. Villiers and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed*, 13 *July* 1864.

[Bill 204.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act for the Amendment of the Law in Cases of Rape.

Preamble.

WHEREAS it is expedient to amend the Law with regard to the Punishment in Cases of Rape: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In Convictions for Rape Whipping may be added to other Punishment.

1. Where any Person is convicted of the Crime of Rape, the Court before whom he is convicted may, in addition to the Punishment awarded under any other Law either now in force or hereafter to be in force, direct that the Offender be once, twice, or thrice privately whipped.

In Cases of Assault with Intent to commit Rape Whipping may be added to other Punishment.

2. Where any Person is convicted of an Assault with Intent to commit Rape, the Court before whom he is convicted may, in addition to the Punishment awarded under any other Law either now in force or hereafter to be in force, direct that the Offender be once privately whipped.

3. Where

Aiders, Abettors, &c. subject to same Punishment as the Principals, unless mitigated.

3. Where any Person shall aid, abet, or assist another to commit the Crime of Rape, such Person shall be liable to the same Punishment as the Principal, or to any mitigated Punishment, as the Court before whom the Principal is convicted may award.

Act to be construed with 26 & 27 Vict. c. 44.

4. This Act shall be construed with and subject to the same Provisions as in the Act of the Session of the Twenty-sixth and Twenty-seventh Years of the Reign of Her present Majesty, Chapter Forty-four.

Punishment of Rape.

A

B I L L

INTITULED

An Act for the Amendment of the Law in Cases of Rape.

(*Brought from the Lords* 29 *April* 1864.)

Ordered, by The House of Commons, *to be Printed*, 16 *June* 1864.

[Bill 157.]

Under 1 *oz.*